the weekly Standard

JANUARY 25, 1999

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THE BEST

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...AND THE WORST

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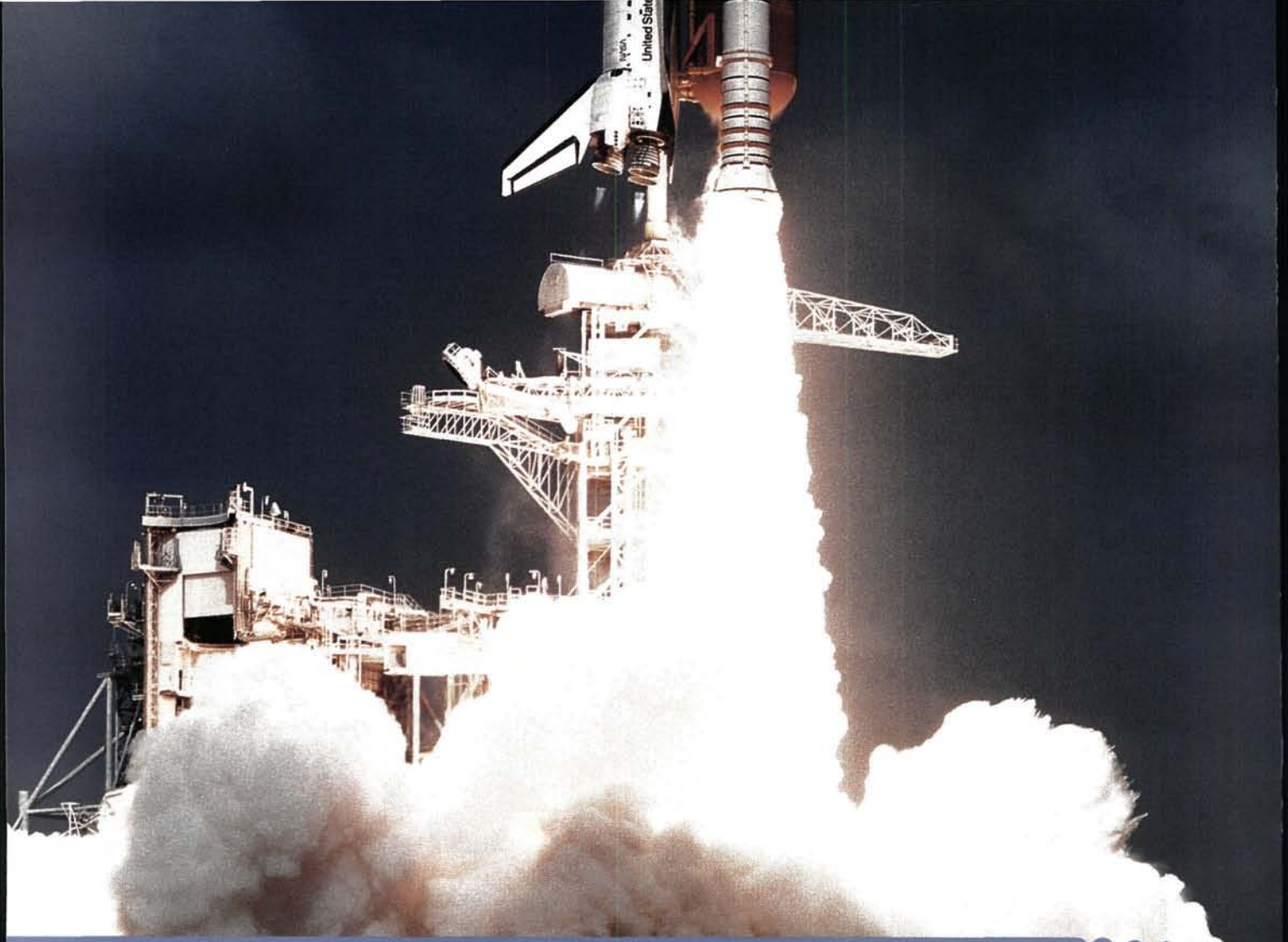

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BPA INTERNATIONAL

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Bill Clinton's Man in London

A few weeks ago in this space, The Scrapbook reported on remarks delivered by the U.S. Ambassador to Great Britain at a luncheon in London hosted by the American Chamber of Commerce (UK). The ambassador, according to our estimable source, had remarked on the problems of governing multiethnic societies and told a joke about the Puritans that seemed to be critical of Kenneth Starr.

Not so, protests a letter from Nicholas Wills, vice president of the American Chamber of Commerce (UK) and chairman of the luncheon. The Scrapbook is willing to stipulate the accuracy of Wills's account, especially since it is far more embarrassing to the ambassador than ours. The ambassador in question, by the way, is the Honorable Philip Lader, longtime friend of Bill and Hillary Clinton and founder of the annual New Year's gabfest in Hilton Head, S.C., known as Renaissance Weekend.

Contrary to our report, writes Wills, "the Ambassador said neither that 'the United States must find a way to govern a multiethnic nation' nor that 'African-Americans make up one third of the population.' His point was the importance of promoting Anglo-American values, such as the rule of law and parliamentary democracy, among citizens whose heritage is non-British. And he emphasized this goal's importance by noting that, soon in the next century, the majority of California's population is projected to be Hispanic and non-white and almost one-third of his home state, South Carolina's population, African-American.

"Similarly, contrary to your report, the Ambassador's light-hearted remark about Thanksgiving and the Puritans was simply a turn-of-the-century quotation from the American journalist Finley Peter Dunne. I regret that the Ambassador's statements were misreported."

Well, The Scrapbook is happy to hear that speechwriters are still mining Finley Peter Dunne for anecdotes. But about the other point that Mr. Wills raises: Can it be true that Bill Clinton's ambassador to the Court of St. James believes the African-Americans of his home state and the Hispanics of California, being of non-British heritage, have special difficulty appreciating the values of democracy and the rule of law? Maybe more of them need to be invited to next year's Renaissance Weekend?

Flyntonism

Washington publicist and one-time Dole adviser Craig Shirley caught Larry Flynt in an interesting lie last week. Following an exchange with the president's favorite pornographer on a cable talk show, Shirley mailed a letter asking Flynt a number of questions that probed his ties to the White House and the Democratic party. Number 5 was, "Have you personally or has your company ever given money to President Clinton or the Democratic Party?"

Flynt gave a one-word response in a January 7 letter to Shirley: "No."

Shirley has now released a printout from the Federal Election Commission showing that Flynt tried to donate $10,000 to the Clinton/Gore campaign on Aug. 19, 1996. The money appears to have been refunded because Flynt, in his eagerness to help his allies, violated the $1,000 limit on such contributions.

Affirmative Dishonesty

Remember President Clinton's slogan on affirmative action, "Mend it, don't end it"? Well, now we know what the meaning of "mend" is. It means a huge expansion of federal power to enforce hiring quotas on American companies.

As reported last week by Glenn Burkins in the *Wall Street Journal*, the Clinton Labor Department is planning to require thousands of companies that do business with the federal government to submit the name, race, age, sex, race, and salary of all their employees to Labor Department auditors.

The government audits about 4,000 companies every year to enforce compliance with the affirmative-action programs imposed on federal contractors. Under the new regulations, every audited firm would have to pony up the sensitive detailed data on its employees. Back in the Carter years, when the Labor Department tried to engineer a similar expansion of its enforcement powers, it was thwarted by the Office of Management and Budget. Does anyone—either at the Clinton OMB or on Capitol Hill—have the political will to rein in Labor's quota police this time?

The Supreme Court vs. the Bible

Two years ago, in the courthouse of Sarpy County, Nebraska, a 25-year-old man named Aaron Pattno admitted that he had sexually assaulted a 13-year-old boy.

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George A. Thompson, the district judge hearing the case, sentenced Pattno to serve 20 months to 5 years in prison. And that, as they say, was that.

Or rather, that wasn't that, because Judge Thompson happened to quote the Bible while delivering the sentence. Specifically Romans I: 20-27, though he didn't say where the quotation was from. He wasn't instructing a jury or speaking to anyone who might be swayed against the defendant by hearing those dangerous words. He just quoted the Bible.

And that really was that. The Nebraska Supreme Court promptly swished back its skirts in horror, rescinding the sentence and declaring, "If a judge's comments during sentencing could cause a reasonable person to question the impartiality of the judge, then the defendant has been deprived of due process and the judge has abused his or her discretion."

Nebraska state attorney general Don Stenberg rather foolishly tried to appeal, arguing that the decision will allow any participant in a legal proceeding "to investigate and inquire into a judge's religious beliefs in order to disqualify the judge or to have a conviction or sentence set aside." On Jan. 11, 1999, the U.S. Supreme Court refused without comment to hear the appeal. Pattno was resentenced by a different judge to four years' probation.

Asked by an AP reporter about what message the higher court was sending, Judge Thompson said, "I guess it's 'Don't quote the Bible.'" The question this seems to raise is, who will save this honorable court?

The Breindel Award

The Scrapbook is pleased to note the establishment of the Eric Breindel Award for Excellence in Opinion Journalism, in memory of the *New York Post* columnist and Weekly Standard contributor who died last March at the age of 42. News Corporation, Breindel's employer and the corporate parent of this magazine, has pledged $250,000 to the Eric Breindel Memorial Foundation, sponsor of the new award.

The foundation will present an annual prize of a minimum of $10,000 to the columnist or editorialist whose work best reflects the spirit that animated Breindel's writings: love of this country and its democratic institutions and the act of bearing witness to the evils of totalitarianism. The Breindel Award will be the most lucrative prize in the field of opinion journalism in the United States.

The announcement of the prize was made by News Corporation Chairman Rupert Murdoch, who hired Breindel as editorial page editor of the *New York Post* in 1986. "Eric Breindel was a passionate and courageous conservative voice at a time when it was distinctly unfashionable," Murdoch said. "We can't think of a better way to honor him than to encourage the kind of excellence in newspaper opinion journalism he exemplified."

A confidential panel appointed by the foundation will judge the entries. Those who wish to be considered should submit no more than five editorials or columns written in 1998. Submissions, accompanied by a $25 entry fee, are required before April 15. The winner will be announced in June. Those interested should write to the Eric Breindel Memorial Foundation, 1211 Avenue of the Americas, 3rd Floor, New York, NY 10036.

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Casual

L.A. Story

The other day I pulled up to a stop light in Los Angeles and heard a man in the next car screaming bloody murder into his cell phone. When I looked over, it turned out to be the actor Adam Goldberg. Generally, I try not to stare at famous people—it's not polite—but this time, I couldn't help it; Goldberg was in full throat. It was worse than his death scene in *Saving Private Ryan*. I gave in and gawked.

It turns out that in L.A. there's a lot to gawk at. A lot to wonder over, too. It's not just the celebrities, it's the way every 55-year-old woman's face has cheeks so taut you could bounce quarters off them. It's that something as mundane as exercise consists of bizarre activities like kick-boxing and pilates.

In the City of Angels, people don't drink Coke or Gatorade, they guzzle "wheat grass" by the liter. The local language is alien. The most important periodical in town, the entertainment daily *Variety*, carries headlines like: Alphabet Prexy Ankles Post After Ayem Frosh Laffer Flops. Translation: The president of ABC has resigned because a first-year morning situation comedy failed.

Even the non-famous people in Los Angeles live strange lives.

The day after my encounter with Adam Goldberg, I had dinner with a friend and some of her friends—two ballet dancers, a cardiologist, a law student, and an investment banker. Not a party that looks like America, maybe, but a tolerably staid and harmless set, you'd think. We ate at one of those trendy Thai restaurants that Zagat's Guide loves because they're close enough to the bad section of town for middle-class people to feel adventurous without being in any real danger.

Dinner was fine, but as the meal wound down I noticed that empty wine bottles were accumulating at a fair clip. Soon the feast moved back

to one couple's apartment, where we settled in for cookies and after-dinner drinks. Everything seemed copacetic until the snake appeared.

I've never been a fan of snakes; especially not snakes big enough to snap me like a pretzel and swallow me whole. But everyone else seemed to adore Daisy, a seven-foot boa constrictor.

"You might want to be a little careful with her," my friend said helpfully. "She's supposed to shed soon, so she might be cranky."

Cranky or not, for a cold-blooded killing machine Daisy had a lot of personality; she slithered and coiled and was generally sociable. At one point, she encircled a dancer's leg, then went for the banker, eventually winding herself around his neck, the whole time hissing in a vaguely menacing way. At least, I thought darkly, the world has plenty of bankers.

My discomfort with Daisy was just starting to give way to fascination when something else caught my eye.

I turned and saw my law-student friend standing in the hallway with a gun—a cartoonishly large object that looked more like a hand-held howitzer than a pistol.

"Relax," he said grinning, "it's not loaded, and I keep the ammo locked up." The banker, spotting a new toy, jumped up and ran over. Daisy hissed.

"Is that a Desert Eagle?" asked the cardiologist admiringly.

"Yeah. The Israelis make it," the law student answered.

The Hollywood director Paul Thomas Anderson has a theory that at some point in his life everyone in L.A. winds up in a bad situation. You find yourself in a house in the Valley with stuff going on that no good can come of. What starts as chit-chat over pad thai morphs into a brush with the surreal. I was beginning to think that Anderson was onto something, when the banker reached for his back pocket.

He pulled out a out a wad of crisp $100 bills. He counted out twenty of them and said to my friend, "I'll give you $2,000 to shoot that into the wall."

"You're crazy," the law student said. "A .357 magnum will go through brick."

"$2,000. You get a conversation piece out of your wall, we get a kick," the banker countered. "And Jonathan even gets an L.A. story."

Illustration by Kevin Chadwick

Jonathan V. Last

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Correspondence

Northern Exposure

Contrary to the lead sentence of Preston Jones's review of *North Country*, there still are border disputes between the United States and our supposed friend Canada ("Ice Fishing in America," Dec. 28).

About 20 years ago, countries became entitled to 200 nautical miles off their coasts for fishery conservation zones, and about 10 years ago they became entitled to exclusive economic zones. Where two countries come within 400 miles of one another, they need to negotiate maritime boundaries. The United States has created maritime boundaries with Mexico, Venezuela, and even Cuba and Russia.

But somehow the State Department has not seen fit to enter into serious negotiations with Canada for the boundaries with Alaska (both north and south), Washington, and Maine. In the case of Maine, a partial boundary was established in 1984 in a case before the International Court of Justice.

The state of Alaska brought up the issue in a resolution introduced in 1998 by state representatives Al Vezey and Joe Ryan. The resolution noted that the maritime zones were important for fishing, transportation, and mining rights, and urged the president and secretary of state to get on with the opening of negotiations.

So far, they have not gotten on with it.

CARL OLSON
WASHINGTON, DC

More Was Less

In Michael Novak's review of *The Life of Thomas More* by Peter Ackroyd, More is described as driving and severe, especially against Martin Luther and the Reformers ("A Good Life," Dec. 28). Indeed, he was at his most vituperative and scatological in attacks on England's foremost disciple of Luther, William Tyndale.

Tyndale, a scholar of the Greek Bible and Hebrew, had translated the New Testament and the Pentateuch into a form of English that would live forever (he introduced the phrases "let there be light," "salt of the earth," "am I my brother's keeper," and the words "Jehovah," "Passover," and "scapegoat" to the language; most of the King James Bible is also Tyndale).

Of course, in 1529, Tyndale was considered a heretic, and his most fanatical and resolute enemy and critic was Sir Thomas More, who considered him a strong threat to the Church and its ordered structure. Tyndale overcame More's unrelenting opposition by smuggling into England the first ever translations of the scriptures in English vernacular. For this he was rightly called the Apostle of England.

H.L. PARKER
SPARTANBURG, SC

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Jury Nullification in the Senate?

This week advocates for the Clinton White House will speak from the Senate rostrum. At first blush, they will seem—to any serious student of the Lewinsky scandal—to be making an implicit, highly unflattering judgment about the intelligence of the 100 senators. If extensive legal documents recently filed on the president's behalf are any guide, his lawyers will spend the next few days ostensibly inviting the Clinton impeachment jury to believe a great many truly stupid arguments:

That the case is best explained by reference to the vindictiveness and venality of Kenneth Starr and Paula Jones, respectively;

That the president "is guilty of *personal* failings" exclusively, failings for which he has nevertheless "appropriately" apologized to the nation;

That the charge of actual, more-than-private criminality on Clinton's part turns only on the fevered exaggeration of abject trivia—such as that "he used the phrase 'certain occasions' to describe eleven events over some 500 days";

And that the relevant law and evidence are so soggy with ambiguity that the president's pre-August Lewinsky cover stories might still somehow be "literally true"; his insistence that fellatio is not sex might still somehow be "totally reasonable"; and his protestations of innocence might still somehow be the only testimony we are obliged to take at face value.

Through our representatives in the Senate, we will be asked—again—to accept as "hardly surprising" that Bill Clinton "reached out" to Betty Currie in the immediate aftermath of his *Jones* deposition. He had just, under oath, repeatedly invoked this woman's name as someone who could corroborate his denials about Monica Lewinsky. And the subpoenaed Lewinsky gifts he'd claimed not to remember were at that very moment stashed under the bed in his secretary's home. But when he twice summoned Currie to listen silently while he unfolded a plainly incredible account of his doings with the intern, Clinton was not tampering with a witness, but rather simply "looking for information." According to the White House, "there is no basis" to doubt the president's word on this.

Nor, similarly, is there any basis to doubt Clinton's sworn grand jury testimony that he only told his aides "things that were true" about Lewinsky after the controversy became public. John Podesta has testified that the president specifically denied any act of oral sex with the woman. Sidney Blumenthal has testified that the president informed him, in elaborate detail, that Lewinsky was a sex-hungry, predatory blackmailer. And the president's lawyers will now testify that "it is a mystery"—no, it is "simply bizarre"—that anyone might think this evidentiary record convicts Bill Clinton of perjury.

This much of the president's defense will be all-too-familiar. But his attorneys will treat the Senate to at least one brand-new dumb idea, as well. Clinton's Senate trial, the White House now proclaims, is not just unwarranted by the evidence or legal-standard precedents, but outright "unconstitutional." The president, you see, is impeached before the Senate for "one or more" of four specified categories of grand jury perjury, and "one or more" of seven specified categories of obstruction of justice. By those "one or more" conjunctive clauses, his lawyers complain, the Clinton impeachment articles violate the president's Fifth Amendment due-process rights. For it is not enough that 67 senators agree Bill Clinton is guilty of *some* act of perjury or obstruction; they must all agree about precisely *how* he committed the crime.

The White House offers serious-looking case-law citations in support of this contention—which would prospectively invalidate Rule XXIII of the Senate's standing impeachment procedures and retrospectively invalidate the 1974 House Judiciary Committee votes against Richard Nixon. But these legal footnotes do not actually say what Clinton's lawyers say they say. The White House claims, for example, that the Supreme Court's 1991 *Schad* v. *Arizona* ruling prohibits conviction on any indictment count that leaves the *means* of a crime ambiguous. In fact, *Schad*

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stands for something close to the opposite principle.

As Justice David Souter explained, writing for the *Schad* majority, "Our cases reflect a long-established rule of the criminal law that an indictment need not specify which overt act, among several named, was the means by which a crime was committed." He went on, "This fundamental proposition is embodied in Federal Rule of Criminal Procedure 7(c)(1), which provides that '[i]t may be alleged in a single count that the means by which the defendant committed the offense are unknown or that the defendant committed it by one or more specified means.'" Souter concluded: "In these cases, as in litigation generally, 'different jurors may be persuaded by different pieces of evidence, even when they agree upon the bottom line.'"

Here Souter was quoting Justice Harry Blackmun's concurrence in *McKoy* v. *North Carolina* (1990). *McKoy* is the only other Supreme Court case the Clinton White House cites in its Senate impeachment memorandum—radically out of context, and to similarly dishonest effect.

"When a woman's charred body has been found in a burned house, and there is ample evidence that the defendant set out to kill her"—Justice Antonin Scalia wrote separately in *Schad*, with characteristic brio—"it would be absurd to set him free because six jurors believe he strangled her to death (and caused the fire accidentally in his hasty escape), while six others believe he left her unconscious and set the fire to kill her."

Yes, it would be absurd. And it is on exactly the same absurd grounds that his lawyers would now set Bill Clinton free from further penalties of perjury and obstruction.

Which raises the question again: Do they think the Senate is stupid?

No, they do not, in our judgment. For the White House no longer bothers to fashion arguments designed to be believed. The evidence is overwhelming; no serious person now doubts that Bill Clinton did what he is alleged to have done. History is crystal clear, as well; Arthur Schlesinger Jr. to the contrary notwithstanding, the notion that our Framers would not have viewed systematic presidential perjury and obstruction as impeachable offenses is risible.

Instead, Clinton's defense has taken on the flavor of an incantatory, sub-rational *excuse*: "not proven," "doesn't rise to the level," et cetera, et cetera, et cetera. This is not an effort to persuade. It is, rather, merely a fig leaf proffered for the convenience of any senator inclined to let the president off because . . . well, just *because*. Clinton is guilty. The crime is impeachable. The White House asks the Senate not

Michael Ramirez

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so much for acquittal, but for jury nullification.

And to what effect? Systematic felonies like Bill Clinton's, his lawyers assert, "do not involve wrongdoing of a gravity sufficient to foreclose effective performance of the presidential office." This suggestion—our current president's central, bedrock defense—is not "stupid." The suggestion that a recognized perjurer and obstructor of justice could ever "effectively" perform the Constitution's Article II responsibilities is a radical assault on the integrity and traditions of our government. It is a *corrupt* suggestion. Will the United States Senate act to endorse such corruption?

—David Tell, for the Editors

TRIAL DAZE

by Andrew Ferguson

UNITED STATES CAPITOL, JAN. 14, 11:00 A.M. Today the Senate impeachment trial of President Clinton begins in earnest, and if you are a member of "The American People"—and I'm assuming for the sake of argument that you are—then you are worried that the nation's business will be paralyzed for the duration of the trial. This is what the pollsters keep saying. But do not worry.

Majority Leader Trent Lott's press secretary, John Czwartacki, has come to the press gallery two hours before today's session begins. The gallery is packed with reporters, and Czwartacki sits in an armchair before an ornate (and defunct) fireplace, fielding questions about procedure. When will the trial end? How long into the evening will today's session last? And tomorrow's session—how late? If a senator makes a motion, will it delay the trial? And the most important question of all: Will we have to work on Saturday, for God's sake?

Czwartacki is very good at his job and answers the questions crisply, but there's another bit of information he wants to make sure the hacks take on board. He unfolds a sheet of paper and begins reading. "They came to closure on the following items of their agenda for the future," he says. "First, preserving Social Security. Second, creating the world's best schools. Third, making the tax system fair. And last, reining in the appetites of Washington bureaucrats."

So there, American people. Life goes on!

11:20 A.M.

Reporters normally have the run of the Capitol, but not today. Security is tighter than any of us has ever seen it. Our movements around the building are restricted to areas set off with red-velvet rope lines. Up in the press gallery a beefy young man in a buzz cut appears, toting an enormous black canvas bag. He's wearing a suit two sizes too small and a telltale ear piece: a plain-clothes cop. He drops the bag by the door and stands at attention.

One of the gallery assistants stops him.

"What's in the bag?" she asks him.

"Gas masks, ma'am," he says, eyes staring straight ahead.

"Excuse me?" she says.

"In case of airborne chemical attack, ma'am."

"Well, you can't leave the bag there," she says. "Someone might trip over it."

"I'm just doing what I've been told, ma'am."

"But someone might trip. Can't you . . ."

"These are for you and your protection, in the event of airborne chemical attack," he repeats. "You'll be glad they're here."

I seriously consider going home to watch this thing on TV.

THE FLOOR IS A SWARM, AN ORGY, OF COLLEGIALITY. SENATORS LOVE BEING SENATORS, AND THEY LOVE OTHER PEOPLE WHO LOVE BEING SENATORS.

12:50 P.M.

But what fun would that be? This is history, after all, an occasion of great moment. Of course, today is not, technically, the first day of the impeachment trial. That was last week, when the Senate held a brief session presided over by Chief Justice William Rehnquist, after which the senators huddled behind closed doors to settle the most contentious issue of their deliberations so far—whether or not to call live witnesses to the well of the Senate and subject them to the laser-like application of senatorial intelligence and curiosity. The senators decided this contentious issue as they so often do. They decided to decide later. The vote, needless to say, was unanimous.

The collegiality is holding up, to judge by the conduct on the Senate floor, here in the few minutes

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before Rehnquist appears and the trial begins. The floor is a swarm, an orgy, of collegiality. Senators love being senators, and they love other people who love being senators, and when they enter the Senate chamber they simply cannot keep their hands off each other. But, as we say in Washington these days, *this is not about sex*. Senatorial affection is expressed vigorously but chastely. There's the Joe Lieberman Elbow Squeeze, by which Senator A shakes Senator B's hand and then, with his free hand, reaches around to knead B's funny bone in an extra show of delight. There's the Robert Byrd Lower Back Rub and the John Warner Shoulder Wraparound and the Chuck Robb Back Slam. If he's feeling really good, a senator can use the Mitch McConnell Hammerlock. (Kids: Please don't try this at home.) And back in the epochal Year of the Woman, in 1992, Senate rules were revised to allow the Barbara Boxer Hug, although the Carol Moseley-Braun Air Kiss seems to have been retired, out of respect.

With all this senatorial affection gushing like a geyser around them, the House managers look painfully out of place. They sit, stiff-backed and unspeaking, at a specially designed table in the Senate well, amid a mountain of paper and bound volumes. They look like a strange tableau from Madame Tussaud's ("And here we have a collection of late-twentieth century American white males . . ."). In fact, "white guys in suits" has become the favored dismissive term for the poor House Republicans—"out of touch white guys trying to fathom truth in sex," is what the *New York Times*'s Maureen Dowd called them, in a column earlier this week. According to Maureen, apparently, black guys fathom sex instinctively. It's just how they're built.

2:45 P.M.

And they're off! After the call to order and a prayer, Henry Hyde opened with a brief statement, introducing the House managers. "As a captain in the army, Rep. Bryant served in the Judge Advocate General Corps and taught at . . . Rep. Rogan is a former California state judge and Los Angeles County District Attorney . . . Rep. Chabot has experience as a criminal defense lawyer and . . ." He sounded like Bob Eubanks emceeing a *Dating Game* in Hell. But now we're into the meat of the matter, as Ed Bryant, soon to be followed by Asa Hutchinson and James Rogan, lays out the facts. Maureen was indeed correct: They're white guys.

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The press seats, set up high behind the rostrum where the chief justice sits, are the worst seats in the chamber. We can't see Rehnquist, and we can see only the top of the back of the heads of the presenters, which means we are forced to stare at the senators. Amazingly, after almost two hours of lecturing, they don't look bored. Senators, as any senator will tell you, are accustomed to working long, hard hours, but typically it is hard work doled out in half-hour increments: a quick office meeting with the Pleasant Hills chamber of commerce, then a brief appearance at a subcommittee hearing, a drop-by at a LULAC reception, followed by a round of phone calls in the cloakroom, and so on, throughout a day of constant motion. Seldom if ever do their jobs demand sustained concentration on a single subject. Now they are being asked to sit for hours on end, silently, and I expected the chamber to resemble a special-ed class jumping with kids who forgot to take their Ritalin.

I misjudged them. With a few conspicuous exceptions—Barbara Mikulski, Pat Leahy, Paul Wellstone—the senators follow the presentations closely, turning to exhibits in their briefing books, making notes, attending to the occasional video clips. But up here in the press seats, one's mind starts to wander and individual senators claim one's attention. John McCain, for example, is a fine man and a great hero, but his posture, as he slumps in his chair, is terrible. Joe Biden keeps fingering his hairline, as though he's making sure the plugs are still in place. Paul Sarbanes is a compulsive ice-muncher. Strom Thurmond is still awake! And Senator Kennedy—he'd lost weight right after he got married a couple of years ago, but he's really beefing up again. When he coughs, which he does often, it's a full five seconds before his shirt front stops shaking. He doesn't cover his coughs, incidentally. The Kennedys always had people who would cover their coughs for them.

NOW THE SENATORS ARE BEING ASKED TO SIT FOR HOURS ON END, SILENTLY. I EXPECTED THE CHAMBER TO RESEMBLE A SPECIAL-ED CLASS JUMPING WITH KIDS WHO FORGOT TO TAKE THEIR RITALIN.

4:45 P.M.

A brief break in the proceedings, but the senators, who normally could be counted on to appear before the press to palaver, are staying in their cloakrooms, incommunicado. To pick up the slack, word comes that James Kennedy, the White House scandal spokesman, will make a statement on the Capitol plaza. A camera has been set up for him outside, in the freezing rain. By the time I get there, Kennedy has finished his statement and is trying to dry off in the carriageway.

One of the cameramen approaches him. "Sorry to tell you this," he says to Kennedy, "but we lost the audio. Could you come out and read your statement again?"

Kennedy turns to an aide. "Is my hair okay? Good." And he charges back outside, to get the word out to the American People, and I can hear his reedy voice rising above the pitter-pat of the rain: "The House Republican Managers have begun to lay out a case that is both unsubstantiated and circumstantial . . ."

7:00 P.M.

The session is over for the day, but still the senators aren't talking. In the hallway outside the chamber, a camera is set up, surrounded by reporters—a big, fat, sopping opportunity for each of them to get on national television. Minutes pass. And not a senator appears. It's beginning to hit me: Maybe they really are taking this seriously.

But I needn't have worried. Out of nowhere, a clump of senators advances toward the camera. There's Chuck Schumer and Bob Torricelli and Tom Harkin. "It's ironic," Harkin tells a print reporter as he moves toward the camera. "On the one hand, the House tells us they've got a compelling case. Then they say, they can't make their case unless they call witnesses. I mean, they can't have it both ways."

Schumer stands in front of the camera. "The thing we should emphasize," he says, "is that after six and a half hours, there was really nothing new here. They were just trying to make a case for calling witnesses. But look, they can't have it both ways. They say they're making a compelling case. Then they say they can't make a compelling case unless they call witnesses. I mean, come on. Which is it?"

They leave. A few minutes later, Senator Reid of Nevada appears. He walks toward the camera. "I should just make one point," he says. "The House managers say they've got a strong case. And then they say, we can't make our case unless we call witnesses. You know, they can't have it both ways."

There's never a gas mask around when you need it.

Andrew Ferguson is a senior editor of THE WEEKLY STANDARD.

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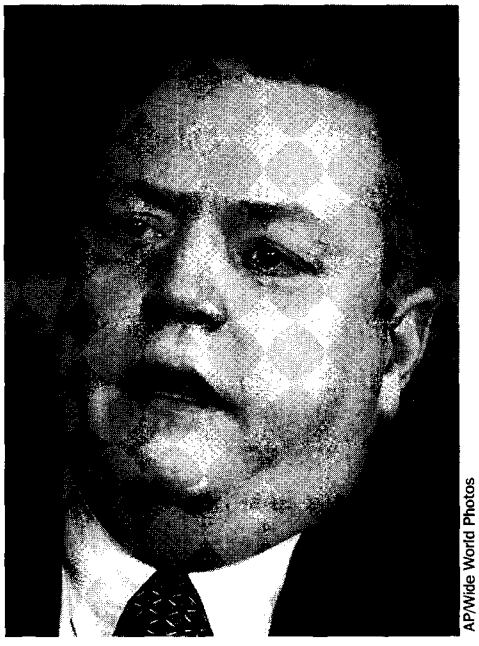
CLINTON'S HUSTLER

by Matt Labash

HUSTLER PUBLISHER LARRY FLYNT is a hard man to peg. He's a bounty hunter to Republicans, and a child molester to his estranged daughter, Tonya (he calls her a "liar" and a "retard"). He's a "hero" to First Amendment fetishist Milos Forman, director of the hagiographic *The People vs. Larry Flynt*. And he's a self-styled fan of the Clintons: Flynt says he's waging his sexual inquisition against Republicans—aided by his proffered $1 million reward for dirt—because "I love my president."

But to truly measure the pornographer who popularized birth-canal-baring photo spreads in a magazine beside which *Playboy* pales, one needn't rely on Flynt's latest antics—his plying reporters with the tale that congressman Bob Barr once avoided answering questions about an affair in a divorce proceeding and paid for his ex-wife's abortion in 1983 (back when Barr was pro-choice, 11 years before he ran for the House).



AP/Wide World Photos

Instead, one need only turn to Flynt's 1996 autobiography, *An Unseemly Man*. The first chapter, "Playing Chicken," details Flynt's formative sexual experience, "out behind the barn" with one of his grandmother's hens. The man Geraldo Rivera calls a "maverick moralist" explains that when he'd finished with the bird, he wrung its neck and tossed it in a creek.

Journalist Dan Moldea, Flynt's chief investigator in the anti-hypocrite pogrom, seems proud of his employer. "This guy doesn't have any pretense about his personal morality," Moldea says. "He's very open and honest about himself. We wouldn't be in this situation now if more people were like that. . . . Not [doing it with] chickens, but, uh . . . [sounding perplexed] I never heard that story before."

It's a story Flynt has told for years, though in some quarters it hasn't hurt his credibility. That a porn impresario can hijack impeachment-trial headlines may come as a surprise. But for two decades, Flynt has captured the imagination of those who refuse to discount him as a mere smut peddler.

In 1976, when facing obscenity-pandering charges in Cincinnati, Flynt was compared to dissident Soviet artists in a petition signed by Gay Talese, Norman Mailer, and 67 other media celebrities. In the late 1980s, mainstream newspapers filed friend-of-the-court briefs on Flynt's behalf after Moral Majority founder Jerry Falwell sued *Hustler*'s publisher over a parody suggesting Falwell had trysted with his mother.

But Flynt's respectability reached its apex with the release of the movie about him in 1996. Director Forman gave Flynt a makeover by wrapping him in the flag—inspired perhaps by Flynt himself, who literally wore a stars 'n' stripes diaper into federal court. Since Flynt was recast for posterity as our foremost First Amendment champion, media types and pols have been falling all over him. Clinton henchman James Carville appeared in the movie, and White House spokesman Joe Lockhart promoted Flynt to "newsmagazine publisher" in a White House press briefing. *Newsweek* included him in its recent list of "20 media stars." And John Kennedy Jr. invites him to VIP-screenings, though Flynt twice published unauthorized photos of Kennedy's mother in the buff on her Greek island.

Since Flynt took Washington hostage with career-crippling innuendoes (he helped dispose of speaker-designate Bob Livingston without publishing a word), his reception has cooled, but even now his personal record escapes scrutiny. While pundits buzz about which Republican will be Flynt's next victim, prominent Democrats avert their eyes. The president may deplore the "politics of personal destruction" in the abstract, but he was overheard joking about Flynt at a holiday party.

Meanwhile, few seem to have noticed how often Flynt's threats are amended. Shortly after his October 4 *Washington Post* ad soliciting dirt on politicians, Flynt said the results of his investigation would be published in about six weeks. By mid-November, he promised an expose within a month. In December, he claimed it would drop around January 1. And now, the Flynt Report might come as late

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as April. Dan Moldea, who claims to be overseeing the investigation and writing the report, says he doesn't "exactly know what's gonna happen with that."

Flynt has repeatedly asserted that he hired a Washington private investigative firm chock full of ex-FBI and CIA operatives, but he declines to name it. Inquiring minds assumed he'd hired Terry Lenzner, the Clinton camp's usual private eye. But when I talked to Moldea, he denied knowing anything about this, adding, "Personally, I don't believe there is a detective firm. If there is, where's their work? I don't see their work. Who did Barr? I did Barr. Who did Livingston? I did Livingston." Moldea also denies any White House connection (not counting the fact that in November, before he started working for Flynt, Moldea gave Clinton's attorneys taped interviews he'd conducted with two of Starr's deputies).

Flynt may not be bluffing, of course, but if he is, it won't be the first time. In 1983, after inserting himself into the John DeLorean case, Flynt played an audio tape for reporters which purported to show that a federal agent had threatened the car maker's life if he didn't buy $24 million of cocaine in a government sting. But when a judge ordered Flynt to disclose the source of the tape, he testified that it was "fake as a $3 bill." Around the same time, Flynt, then running for president, claimed to have sex tapes involving 95 percent of Congress and President Reagan, which he threatened to use in the New Hampshire primary.

He never got that far. After a manic outburst during one of his many obscenity trials, Flynt was committed to the Medical Center for Federal Prisoners in Springfield, Missouri, for psychiatric observation. Records obtained from that time show that Flynt, earlier diagnosed as a sociopathic personality, seemed "preoccupied with various plots" often involving "government and political figures. Almost invariably his claims were difficult to believe, but Mr. Flynt maintained he could prove their authenticity." In one instance, Flynt said that to bring the truth out, he would "lie like hell," and that "if you pay someone, they should do what you tell them." Even while under the psychiatrists' gaze, Flynt displayed "his need to be conspicuous and seek attention at all costs." He told his examiners, "Everyone has skeletons in their closet except me, and I'm splashing them on the front pages."

Flynt has always assumed the role of aggressive deflator of pretense and exposer of hypocrisy. Some argue he's uniquely suited for it, as a man who publicizes his own barnyard coitus. Yet even he may have a few leftover secrets.

Tonya is not the only daughter who's accused Flynt of inappropriate contact. Two years ago, *Penthouse* reported the existence of an audiotape on which Flynt admitted to his late wife Althea that he had had unusual involvement with his 13-year-old daughter. The tape was allegedly made by Althea and was in the possession of Bill Rider, Flynt's former chief of security, and his wife Marsha, Althea's sister. The Riders permitted me to hear and transcribe the tape. On it, Flynt admits making Theresa "nervous"

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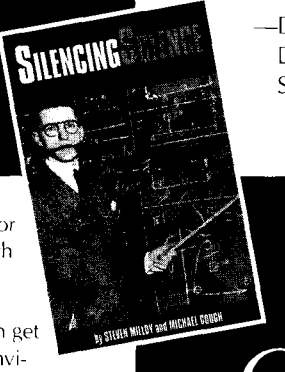

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by, among other things, getting her to undress and comparing her private parts to her mother's. Flynt says he "was just trying to keep [Theresa] from being so uptight about her body," but now he doesn't "want anything to do with the fat little pig."

Today, apparently all is well in the Flynt family. Theresa works for her father. Two years ago, she told me she remembered only "vaguely this taping that you're talking about, but I know Dad never did anything to me. . . . I've slept in the same bed with my dad probably over 2,000 times as a kid." Flynt himself failed to respond to my request for an interview. But I ran into him last August at a porn-industry conference in Los Angeles, where he presented an award to Nadine Strossen of the American Civil Liberties Union. I asked him about the tape, and he said, with Caeser salad dressing dribbling down his chin, "I don't know where they got the tape or how the tape was manufactured, but it's just not true."

Matt Labash is a staff writer for THE WEEKLY STANDARD.

THE LIBERAL EMASCULATION

by Fred Barnes

THERE'S A DOG THAT HASN'T BARKED during President Clinton's impeachment trial in the Senate. It also didn't bark as his State of the Union address was being prepared. That dog is the liberal wing of the Democratic party.

Though Clinton routinely gives liberalism short shrift, liberals are the party's most unwavering advocates of keeping him in office, no matter how strong the case for expulsion. And most liberals have taken a vow of silence about the president's embrace of moderate and conservative policies—most strikingly in early January, when the White House proposed the biggest hike in military spending in more than a decade. It used to be that liberals reflexively opposed increases in Pentagon spending. Now they barely respond at all. This is probably smart politics as Clinton moves to deny Republicans another issue, but that's my point. Democratic liberals used to care more about the substance than the politics of issues.

LIBERALS HAVE GIVEN UP THEIR POLICY PASSIONS, BECAUSE CLINTON IS THE LAST LINE OF DEFENSE AGAINST A CONSERVATIVE TAKEOVER.

Clinton's allies have many ways of saying he's tamed the liberal wing. They try not to be demeaning. "Clinton has permanently moved the Democratic party to the center," says Don Baer, the ex-communications director at the White House. "He has succeeded in making once seemingly incurable ailments vanish," writes Jacob Weisberg in the January 17 *New York Times Magazine*. In truth, Clinton has turned liberals into political eunuchs. They've given up their passions—providing programs for the poor, attacking big business, even fighting for income redistribution. In exchange, the president has tossed them a handful of administration jobs and sought to preserve some (but hardly all) of the creaky old New Deal and Great Society programs and social policies. How was Clinton able to sell this to liberals? By persuading them that he's the last line of defense against a conservative takeover in Washington.

One of the few liberals embarrassed by all this is Democratic senator Paul Wellstone of Minnesota. "The silence [of liberals] is deafening," he told me. "I'm going to rectify that—soon." Well, maybe. Because of a back operation, Wellstone recently had to drop out of the race for the Democratic presidential nomination in 2000. That means that no liberal except Jesse Jackson is likely to challenge Al Gore, and Jackson's support is chiefly racial, not ideological. Wellstone says he'd try to raise hell about some Clinton policies now, but the impeachment trial crowds out all other issues. "We've always been at our best when we're cutting edge," he says, "when we speak to values of right and wrong, as opposed to issuing a 10-point program."

If he pipes up, Wellstone will be in a distinct minority among liberal Democrats. He says there's been "a sort of closing of the ranks" behind Clinton by liberal groups aligned with the Democratic party. Liberals have adopted "a pragmatic view" that nothing should be done to abet a GOP victory in 2000. They've become "hesitant about oppositional politics" inside the party, and Clinton has encouraged their hesitancy. Weisberg recounts a late-night meeting toward the end

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of 1997 at which Clinton insisted he's all that stands "in the way of conservative control over the whole apparatus of government." A few weeks later, Hillary Clinton warned of "a vast right-wing conspiracy." Anyway, Wellstone fears liberals have succumbed to "a kind of maintenance politics" in Washington—that is, politics designed to maintain the Clinton administration. He says, "There's a losing of the fire."

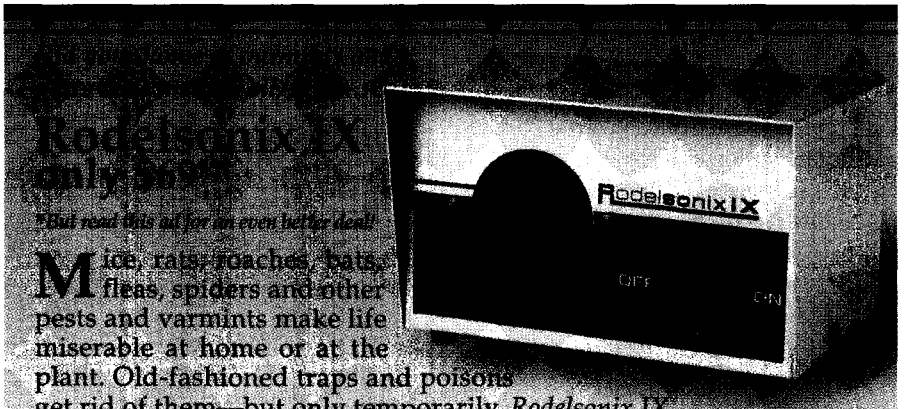
Notably about wrongdoing by the White House. Liberals are scarcely troubled over whether Clinton committed perjury and obstructed justice. They've restrained any indignation about his personal conduct. They're for him, period. It's party moderates—those closest to Clinton ideologically—who've been most alarmed. During House impeachment hearings, the farther to the left, the more noisily pro-Clinton the Democrat was, and the same is true in the Senate. After the first two days of the Senate trial, most senators, even Teddy Kennedy, said little. But a half-dozen liberals rushed to criticize the case against Clinton as repetitive and insubstantial.

And in the run-up to the State of the Union, liberals (except Wellstone) were endlessly tolerant of Clinton's drift to the right. Health care, for example, has always been the issue dearest to the heart of congressional liberals. Yet when Clinton called for using tax credits to help pay for long-term care—in other words, the Republican approach—they didn't protest. The lobby for the health-insurance industry did respond, however, and favorably, calling the proposal "a welcome boost for what most experts consider to be the most pressing financial problem facing the baby boom generation."

Okay, it's true that liberals have *some* influence on Clinton policymaking. Organized labor has steered the president away from accepting any privatization of the current Social Security program. But that's only for now. My guess is Clinton will accede to partial privatization eventually as the price of achieving Social Security reform. Labor leaders and their congressional allies have also pressured Clinton to hold off on renewing fast-track authority for new free trade agreements. But most of the bones Clinton throws to liberals fall in the category of reactionary liberalism. They're aimed at thwarting conservative efforts to kill federal programs that liberals created and still adore.

In one sense, conservatives ought to be delighted by Clinton's emasculation of liberals. It means, of course, that he's free to move rightward and make concessions that were unthinkable a decade ago: ending the welfare entitlement, insisting on a balanced budget. But there's another aspect to the collapse of the liberal wing, and it's not so pretty. In his personal life and in his policies, Clinton corrupts those around him. They are forced to make his survival and political health their top and all-consuming priority, lest the Republican right triumph. Nothing else matters. Après Clinton, the conservative deluge. We've seen this attitude before in Washington, but not since Richard Nixon was president.

Fred Barnes is executive editor of THE WEEKLY STANDARD.



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The Rise of Rogan

by Matthew Rees

Shortly after James Rogan of California was elected to Congress two years ago, he set out on a mission: to have a conversation with each of the 434 other members of the House of Representatives. It took him two years, but eventually Rogan collected a signature for every person in his congressional facebook. He says, "I wanted to at least have a chance to meet every one of my colleagues."

His meticulous, earnest approach to politics is one reason Rogan—one of the 13 managers in the Senate trial of President Clinton—has emerged as a quietly influential member of the Judiciary Committee. His willingness to throw himself into the minutiae of the case against the president, coupled with his hawkish views and extensive legal background, commended him to his committee colleagues. It didn't hurt that he was fiercely opposed to Trent Lott's plan for a truncated trial, or that he was passionately eager to tell the senators why he and his fellow House managers need to call witnesses. Similarly, Rogan has stood out for advocating that everyone from Kathleen Willey to the president should testify before the Senate.

Kent Lemon

James Rogan

Rogan's zeal was rewarded with a slot on the opening day of the trial. His presentation about President Clinton's grand jury perjuries didn't disappoint. In an argument lasting nearly two hours, he methodically recited the facts of the case against the president, highlighting matters large and small. He took particular offense at Clinton's characterization of the early stages of the relationship with Monica Lewinsky as a "friendship"—she, by contrast, testified that Clinton didn't know her name until after she had serviced him. And Rogan shredded Clinton's claim that he wasn't paying attention when his lawyer, Robert Bennett, asserted that Lewinsky's "no sex" affidavit was true: The president, noted Rogan, had paid close enough attention to register that Bennett had referred to the absence of sex in the present tense.

Rogan's moment in the spotlight—he's also scheduled to join Henry Hyde in delivering the all-important closing statement—is the culmination of a meteoric two-year rise through the House GOP ranks. He started by winning a slot on the Commerce Committee, a plum usually reserved for much more senior members. Then, in the aftermath of the July 1997 attempt to depose Newt Gingrich, the speaker brought Rogan into his inner circle. Six months later, he was tapped to fill a vacancy on the Judiciary Committee, once again leapfrogging many more senior members. When President Clinton's legal troubles began to mount, Gingrich asked Rogan to prepare a comprehensive report on past congressional investigations and impeachment proceedings. And shortly after the November elections, Bob Livingston asked him for a memo on how to maintain party unity with a narrow majority.

There's little precedent for a House member's finishing his first term with so many achievements. To those who know Rogan and his personal history, this rapid ascent has been at the same time predictable and surprising.

Predictable because Rogan has been a success at everything he's tried in his professional life. In the 1980s, he spent five years as a deputy district attorney in Los Angeles County. In one memorable closing argument in a drunk-driving case, he said nothing, opting instead to pour 10 cups full of beer to illustrate how much the defendant had consumed, and then snapped his fingers four times to symbolize the number of deaths the driver had caused with one accident (the driver was convicted). His success as a DA won him an appointment to the municipal bench when he was just 33, making him the youngest judge in California. Four years later, in 1994, he resigned to run for an open seat in the state Assembly, and just a few months after his election, his colleagues

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elevated him to majority leader. Rogan reached the next rung on the greasy pole in 1996 when he won election to the House, filling the seat held by a retiring Republican.

But Rogan's achievements don't seem foreordained in light of his personal background. His parents, a cocktail waitress and a bartender, never married, and he didn't meet his father until he was in law school. He was reared by relatives: first his grandparents, in San Francisco's gritty Mission district; then, after they both died, his great aunt; then, after she died, his alcoholic stepfather and his mother, who was in and out of jail for welfare and credit-card fraud. When he was in the 10th grade, he dropped out of school and supported his siblings by working in a pizza parlor and selling vacuum cleaners.

A passion for politics helped keep Rogan afloat. As a boy, he collected politicians' autographs, and his desire to study the political system spurred his return to school two years after he dropped out. He earned a high-school equivalency degree, then entered a Bay Area community college, from which he transferred to the University of California, Berkeley, earning a degree in political science. He went on to UCLA law school, where he made law review. Having conquered so many obstacles to get where he is, Rogan says one of his guiding principles in politics is, "I'm way ahead of the game already. And so losing an election is hardly a big threat."

Today, Rogan's blend of social and economic conservatism makes him a poster boy for Reagan Republicanism. But during the Reagan years, he was firmly ensconced in the Democratic party, and in the 1980 presidential primaries he even campaigned for Ted Kennedy over Jimmy Carter. Gradually, he found the liberalism of the Democratic party more and more unbearable, and finally he switched. Yet he's maintained good relations with Democrats—he singles out fellow Californians Henry Waxman and Howard Berman, in particular. A few years ago, the *Los Angeles Times* called Rogan "that rare breed of right-wing Republican: a born-again, conservative Christian who is not an immediate turn-off to liberal Democrats."

Rogan's comity will serve him well, now that House Republicans are indicating they want more cooperation and less confrontation with Democrats. His performance in the impeachment proceedings has only heightened expectations that his speedy rise through the House ranks will continue. Rep. David Dreier, a fellow California conservative and chairman of the powerful Rules Committee, says, "I would love to see Jim become speaker." Others talk about the Senate; some even of the White House.

The expectations could all be for naught if Rogan's pro-Clinton district is angry enough about his impeachment work to oust him in 2000 (his margin of victory slipped to less than 4 points last November, down from 7 points in 1996). But that's not holding him back. His view is that some principles, such as prosecuting presidential perjury and obstruction of justice, should supersede political concerns. "There's more honor in taking a principled stand and losing," says Rogan, "than in compromising oneself and staying in office."

Countless other Republicans have expressed the same sentiment recently. The amazing thing about Rogan is he seems to believe it.

Matthew Rees is a staff writer at THE WEEKLY STANDARD.

CALL THE WITNESSES

by Thomas W. Kirby

HENRY HYDE and the other House managers who are prosecuting the Clinton impeachment are on solid ground in demanding the right to present live testimony. Trial evidence does not merely establish the facts, it draws the jurors into the story and gives them the moral resolve to do what the facts require. This is the basis for the long-settled "moral force doctrine" that permits prosecutors to present testimony even on accusations the defendant concedes are true.

President Clinton is far from the first defendant to try to stipulate to the evidence against him in order to preempt live testimony. Twenty years ago, I was appointed to defend a man against a charge of murdering his grandmother by stabbing and strangulation. The moment the trial began, I was at the bench, offering to stipulate to the crime scene reports, medical examiner's reports, anything that might prevent live witnesses from describing how the poor lady died. The old trial judge had seen this ploy a thousand times before. He said: "Mr. Kirby, a trial is a story. You can't make the government tell the story your way, and you can't ask me to squeeze all of the juice out of it." He excluded a few of the bloodiest photographs as "more prejudicial than pro-

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bative," but otherwise let the prosecutor's witnesses tell the whole distressing tale.

The judge in my murder case was following a long tradition. Wigmore's hoary treatise on evidence explains that a prosecutor is entitled to the "legitimate moral force" of live, detailed testimony, even if a defendant offers to stipulate to the cold facts. That "moral force" doctrine has been followed in hundreds of federal and state cases. In the 1965 *Singer* opinion, the Supreme Court said, "It has never been seriously suggested that [a defendant can] compel the government to try the case by stipulation."

Two years ago the Supreme Court's *Old Chief* opinion reaffirmed the prosecution's right to prove its case as it chooses, although the liberal wing created a narrow exception for proof of prior crimes. Old Chief, a Blackfoot indian with several prior convictions and a long juvenile record, had been arrested after a Wild-West style fracas in which he fired at least one shot. He was charged with, among other things, violating a statute that forbids anyone convicted of a crime punishable by imprisonment to possess a firearm for more than a year afterward. The prosecutor offered evidence that Old Chief had a prior conviction in Indian Country for aggravated assault that caused serious bodily injury to the victim and led to a 60-month sentence for the defendant. Old Chief sought to keep that evidence from the jury, offering instead a plain vanilla stipulation that he had a prior conviction that satisfied the statute's requirement.

Writing the majority opinion, Justice David Souter agreed that the prosecutor should have accepted the admission in lieu of proof, but stressed that only a narrow intrusion on the prosecutor's right to present evidence was authorized. Because the prosecutor's right to "evidentiary richness and narrative integrity" would not be significantly impaired by leaving out the details of the aggravated assault, the Court ruled in favor of Old Chief. But then, in words that suggest the importance of witnesses to the prosecution in the impeachment trial, Justice Souter explained:

> This persuasive power of the concrete and particular is often essential to the capacity of jurors to satisfy the obligations that the law places on them. . . . Thus, the prosecution may fairly seek to place its evidence before the jurors, as much to tell a story of guiltiness as to support an inference of guilt, to convince the jurors that a guilty verdict would be morally reasonable as much as to point to the discrete elements of a defendant's legal fault.

This, in a nutshell, is the argument of Henry Hyde and the House managers. The senators are sitting as a jury. They are human beings, not computers. The burden on the managers is to present a "story of guiltiness" that will persuade the senators "that a guilty verdict would be morally reasonable," leading them "to reach an honest verdict." Sure, as a matter of disembodied logic, they can stand up and read transcripts. But as any trial lawyer will tell you, a transcript is nowhere near as powerful as live testimony.

THE SENATORS ARE HUMAN BEINGS, NOT COMPUTERS. THE BURDEN ON THE MANAGERS IS TO PRESENT A STORY THAT WILL LEAD THE SENATORS TO REACH AN HONEST VERDICT. AS ANY TRIAL LAWYER WILL TELL YOU, A TRANSCRIPT IS NOWHERE NEAR AS POWERFUL AS LIVE TESTIMONY.

The impeachment hearing in the House of Representatives was a legislative investigation, not a trial. House members were not sworn in for the occasion, they were not restricted to the evidentiary record, and no supermajority was required. In that framework, the sponsors of impeachment concluded that they did not need extensive testimony, and that was their prerogative. The Senate, however, is to hold a trial, presided over by a judicial officer, the chief justice of the United States. And the House managers are the prosecutors in that trial. Respect for their role requires that they be allowed to present their core evidence.

This is not to say that the testimony must be open-ended. Judges long have had the power to exclude marginal evidence to avoid wasting time or causing undue prejudice. That is how the bloodiest photos were kept from the jury in the criminal trial I mentioned above. No doubt similar principles may limit the evidence proffered to the Senate. Like the narrow *Old Chief* exception, however, these balancing principles operate at the margins. It is wrong to use them to cut the heart out of a case. The House managers are entitled to tell the "story of guiltiness" with its full moral force.

Thomas W. Kirby is a litigation and election-law partner in the Washington, D.C. law firm of Wiley, Rein & Fielding.

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GIDDY FOR LIDDY

by Danielle Crittenden

IT WAS A WOMAN, COKIE ROBERTS, who dared blurt out the real reason why Elizabeth Dole has been catapulted into the first rank of potential Republican presidential candidates. "The difference is, she's in a skirt, and I think that the fact she's in a skirt does make a difference. I really do," Roberts said on ABC's *This Week*. "After what we've just been through, I think that women are looking better. The slogan could be 'I won't embarrass you in front of your children,' and I think that she could come on very strong in that direction." When future generations try to grapple with what damage Bill Clinton did to the office of the presidency, they might do well to study that quote.

It is certainly an excellent first step that Mrs. Dole is not a sex-crazed embarrassment to the nation. But what about the second step? Is there any better case for her than that? Or are Republicans, in their eagerness to prove to the female electorate that they care (and not just about Clinton's sex life), in danger of repeating the mistake the Democrats made after nominating Geraldine Ferraro in 1984?

Conservatives have long fought the affirmative-action mentality that says your skin color or your sex organs should give you an edge over more qualified candidates when applying for a job. They have argued eloquently that blacks and whites, men and women should all be judged by the same standards. But when Republicans speak about an Elizabeth Dole candidacy, they don't speak the way they would about a man. They don't detail her political experience, her stances on the issues, her vision for the country and its future. How could they? Her political experience is nil—or, more exactly, vicarious. Her stances on the issues are a profound mystery. And her vision is couched in such wispy generalities as to defy not merely analysis, but comprehension. So instead her admirers gush about how "accomplished" and "smart" she is.

Black Americans rightly wince every time whites refer to a successful black as "articulate." They know it's a double-edged compliment in which are embedded offensively low expectations: "Look at him! He can talk!" Women ought to feel the same way about the words "accomplished" and "smart." Do a Nexis search and you can come up with more than 500 references to "Hillary Clinton" falling within ten words of the adjective "smart." A similar fog of accolades surrounds Elizabeth Dole. She is "impressive." She is "competent." She is "strong." But what do those words mean? She doesn't faint? She can give a speech? She won't embarrass you in front of your children? Is that really all Republicans demand of a female would-be president? Is that the best they think we can do?

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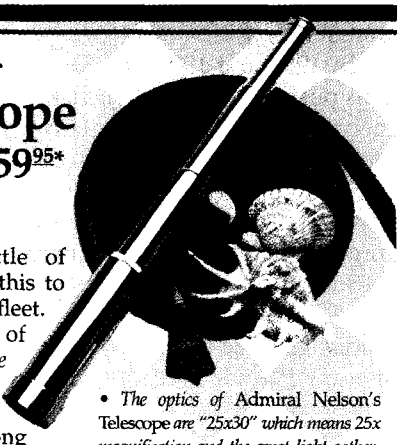

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Strategically, as Michael Barone notes, the mere fact of running a woman might be a good, short-term PR move for Republicans: It would "disarm the Democratic weapons systems" and prove—if such a fact needs proving post-Paula Jones—that Republicans respect women more than Democrats do. But the strategem won't necessarily win any substantial number of votes. "Women have rarely voted for Republican women in greater numbers than men have," observes poll analyst Karlyn Bowman of the American Enterprise Institute.

Nor does the strategem do very much to assure effective leadership once the election is won. When the pundits who praise this woman who has never been elected to any office refuse to wonder, as they would wonder of a comparable man, "Can she govern?" they are guilty of exactly the same double-standard as those fire departments that hire women who can't lift a hose. And when they shrink from the even bigger question, "How would she govern?" they are guilty of something perhaps even worse.

In 1992 and 1996, the Republicans put at the top of their ticket men who could not explain why they wanted the job of president or what they would do if they got it. Is it really an improvement to put an equally uncertain woman there instead? What Elizabeth Dole believes is a closely guarded secret. Yes, when she was President Bush's secretary of labor, she strongly enforced child labor laws and workplace safety requirements. And when she was President Reagan's secretary of transportation, she ordered that rear-window brake light onto the backs of cars. She even redecorated Union Station and cleared away the regulations that inhibited shopping at Reagan National Airport—Washingtonians thank her for both those achievements.

Elizabeth Dole

But even the newly launched, unofficial Elizabeth-Dole-for-President Web site offers no guidance as to how she might use the great powers of the presidency, other than, of course, not-embarrassing-the-children: "What makes a great President? Most people would say character, experience, and charisma. We believe that Elizabeth Dole has all of these qualities and more." But then the posting goes on to concede, "At this time, there is no information on Elizabeth Dole's official positions on any issues. . . . As far as past views are concerned, she has been head of the Red Cross for the past eight years and, as president, it would not have been prudent for her to take a stand on any political issues. . . . As soon as she makes her views known, we will post them."

And what little we do know of Elizabeth Dole's positions on non-transportation issues ought to trouble conservatives. She has supported such dubious feminist policies as comparable worth. She chaired the Glass Ceiling Commission, which concluded that discrimination depresses women's average wages below those of men, a finding that commands little respect among economists. Indeed, in many ways she has proven herself a more consistent feminist than Hillary Clinton.

When Bob Dole ran for the presidency, Mrs. Dole declared that while she was happy to stump for him (and stump like a trooper she did), she had no intention of serving as a full-time first lady if he won. She'd keep her day job at the Red Cross, thanks. Mrs. Clinton, despite all her revolutionary rhetoric, has turned out to be quite a traditional first lady—probably much more traditional than she would have liked. If Bob Dole had been elected, however, it would have been a very different story: Sorry about the state dinner, hon, but I've got to get to that disaster-relief meeting.

It is quite possible that Elizabeth Dole's feminist stances were something short of sincere—that they were designed with an eye on the press and would be hastily abandoned if they showed any signs of alarming Republican primary voters. But that's not reassuring either. If true, it would suggest that Elizabeth Dole shares the same troubling character flaw that doomed her husband. Bob Dole had a delightful, folksy manner. He was a brave man of sterling character. But he lost because ultimately voters decided that there was no *there* there. His wife may be more dynamic—indeed, she may be the Martha Stewart of federal bureaucracy—but underneath the hairspray and lemon-yellow suits, she emits that same strange tinny *ping*.

Danielle Crittenden is the editor of the* Women's Quarterly *and author of* What Our Mothers Didn't Tell Us: Why Happiness Eludes the Modern Woman, *just published by Simon & Schuster.

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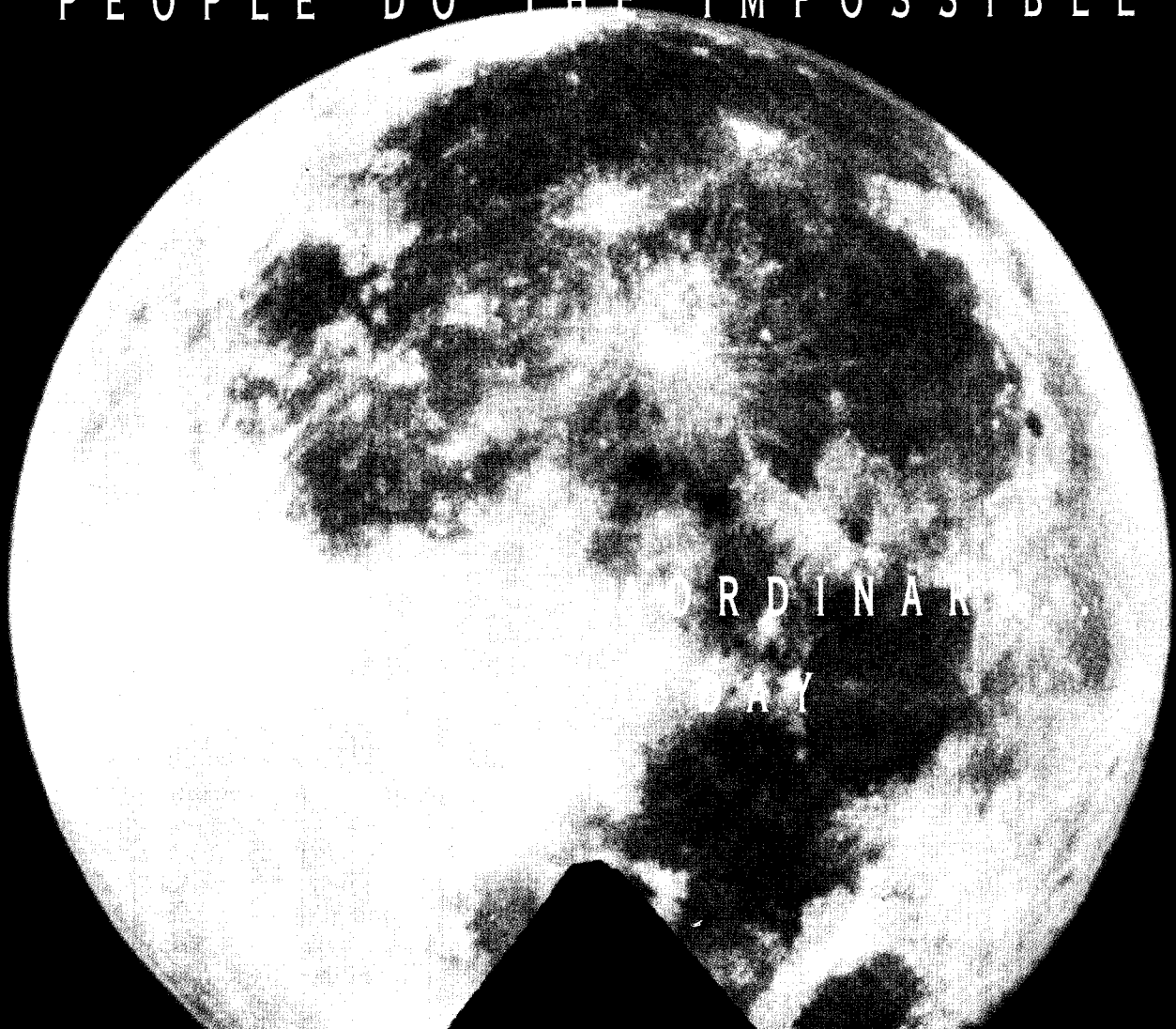
ONCE IN A BLUE MOON PEOPLE DO THE IMPOSSIBLE



BEHOLD THE WONDERS OF TECHNOLOGY. SPECTACULAR BREAKTHROUGHS THAT LEAD TO HISTORIC MILESTONES. AND STEADY ADVANCEMENTS THAT QUIETLY TRANSFORM HUMAN LIVES. SPACE TECHNOLOGY DOES BOTH: LAUNCHING EPIC EVENTS SUCH AS THE FIRST LUNAR LANDING AND GENERATING THOUSANDS OF INNOVATIONS THAT EMPOWER THE PEOPLE OF EARTH. GPS UNITS TO DIRECT EMERGENCY RESPONSE TEAMS. CONTROLS TO GUIDE MOTORIZED WHEELCHAIRS. MRI, PET AND CAT SCANS TO DETECT ELUSIVE DISEASES. SATELLITE IMAGERY TO MONITOR DANGEROUS STORMS AND KEEP THE PEACE. CELL PHONES AND COMMUNICATION SATELLITES TO EXTEND OUR REACH WORLDWIDE—AND A HOST OF OTHER TOOLS AND PROCESSES THAT PRESERVE AND ENRICH OUR LIVES. SPACE TECHNOLOGY—IT GAVE US THE MOON AND CONTINUES TO GIVE MORE THAN WE EVER IMAGINED. EVERY DAY.

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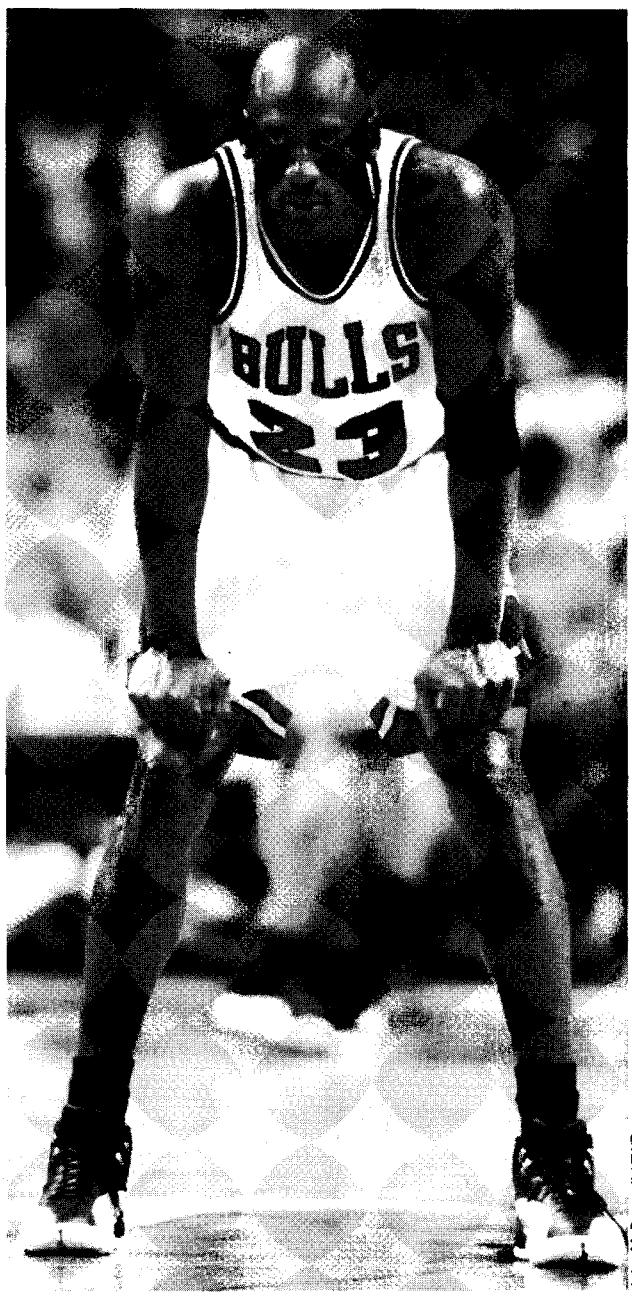
THE BEST

JONATHAN V. LAST: THE SECRET OF MICHAEL JORDAN'S GREATNESS



John McDonnell / TWP

BOBBY KNIGHT, WHO IS INFALLIBLE, SAYS THAT Michael Jordan is the "best player who's played anything." If there were any argument with the Indiana coach's dictum, consider Jordan's three most impressive statistics: He led the National Basketball Association in scoring 10 times, more than any other player; he won championships in his last six full seasons; in the 1,109 professional games in which he played over the course of 13 seasons with the Chicago Bulls, he was held below 10 points only once (on March 22, 1986, as he was recuperating from a broken foot).

But of course there is no argument. When Jordan retired last week, his dominance, his ability to elevate those around him, and his unearthly consistency were universally acknowledged. For once, the conventional wisdom is right: Jordan was, in fact, the best. But why? Here is where the story gets interesting. The near-beatification of Michael Jordan is a tribute to America's enduring love affair with Success. Yes, we love a winner. What we can't stand these days, though, is the peculiar discipline that produces epic achievement. A fierce desire to win is part of it, but more crucial is the ruthless determination to vanquish your foes. The secret of Michael Jordan's greatness—of all competitive greatness—is not merely, as we now instruct our children, to *do your best*. It is to make *your best* superior to everyone else's. You must cultivate your own talent, yes; but you must also search out and exploit the weaknesses of your opponent. Somebody must lose so you can win.

Needless to say, this stern message has not been featured prominently in the tributes to Jordan. A culture that simultaneously rewards success and averts its eyes from the traits that produce champions must nourish deep illusions. With Jordan, the first of these illusions is embodied in the public persona he has meticulously cultivated for himself—the smiling, lovable super-athlete from television commercials. This is the image *USA Today* must have had in mind when it applauded Jor-

Jonathan V. Last is a reporter for THE WEEKLY STANDARD.

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dan's "pride, patience, loyalty, dedication, competitiveness, accountability, and humility." (Humility!) Or the *Philadelphia Inquirer*, when it said that "He smiled and the world was a smaller place." The second illusion is that Jordan merely applied an exceptional set of physical gifts: The "soaring leaps, darting fakes, flawless ball handling" that the *New York Times* hailed as "poetic" were just the product of a body that, as President Clinton put it last week, "would do things no one else's would do."

This is an appealing idea for people who want only to bask in the famous Michael Jordan smile. But it's nonsense. The truth is that dozens of players in recent years were as naturally talented as Jordan—Shaquille O'Neal, Julius Erving, teammate Scottie Pippen, just to name a few. Yet it was Jordan who became the best pro basketball player right out of the University of North Carolina in 1984. And it was Jordan who, in the decade and a half that followed, widened the gulf between himself and everyone else. Jordan defied the immutable law of sports—that time is an athlete's worst enemy. Age felled every other great athlete the world has ever seen. Ali and Mays, Babe Ruth and Mickey Mantle, all of the other greats wilted as their feet became too slow, and their bodies betrayed their minds. Jordan is a better player today, a month from his 36th birthday, than he was ten years ago. The trick is that Michael Jordan was a basketball player the way William Tecumseh Sherman was a soldier and Bill Gates is a businessman.

TO BE THE BEST MEANS CONCEIVING OF ONE'S LIFE AS A quest for domination. Jordan has always felt the need not only to win, but to destroy his opponents. And to do this, he has always been on the prowl for sources of motivation. This was easier at first. Jordan was a coltish kid on a University of North Carolina team chock full of future NBA stars, and so he set about trying to earn the respect of his teammates and win something meaningful. It took him six months. As a freshman, Jordan hit the game-winning shot to beat Georgetown for the NCAA title and became a college superstar.

After his junior year, Jordan was drafted by the Chicago Bulls, then one of the worst teams in the league. Rod Thorn, the team's general manager at the time, said, "Jordan isn't going to turn this franchise around. I wouldn't ask him to. He's a very good offensive player, but not an overpowering offensive player." Talk about motivation. Jordan took those comments to heart, and in his ninth game as a professional, scored 45 points against San Antonio. *Washington Post* sportswriter Tony Kornheiser once observed that Jordan "remembers every insult, every innuendo." Thus, in January 1996, a Philadelphia sportswriter said that the 76ers' ballyhooed rookie Jerry Stackhouse might be the second coming of Jordan. Motivation squared. Not long afterwards, an incensed Jordan rang up 48 points playing against Stackhouse and hinted after the game that there was no other Michael Jordan.

During the 1997 season, Jeff Van Gundy, head coach of the New York Knicks, had the sand to say that Jordan was a "con man" who befriended players from other teams off the court so that he could exploit them during games. By all accounts, Van Gundy was right. So at their next meeting, Jordan scored 51 points and leveled his menacing gaze at the Knicks' coach after every single basket.

Jordan's revenge scenarios could be fantasies; that didn't make them any less effective. In May 1993, the Bulls met the Atlanta Hawks in the first round of the playoffs. Jordan's performance was magnificent. At one point, he blocked Hawks star Dominique Wilkins's shot and then hit a jump shot from half-court at the buzzer. After the game, Jordan would write that he had to play harder for that game because Wilkins was "trying to show me up in front of my family." It goes without saying that there's no way Wilkins would have known the whereabouts of Jordan's family, or would have cared had he known. But Jordan needed a reason to throw himself into battle.

Practices, too, were an arena for conquest. At a camp for the 1992 U.S. Olympic team, Grant Hill, a soft-spoken young college player from Duke University, was doing his best to guard Jordan. Jordan was scoring at will, but he still couldn't resist angrily telling his teammate, "Look, man, this ain't Duke. I can get the ball whenever I want, and I can do whatever I want with it."

For all of Jordan's individual brilliance, there's no getting around the fact that basketball is a team sport. His solution? Motivate his teammates, by whatever means necessary. During Jordan's early years with the Bulls, many of his teammates disliked his version of bonding. So he prodded. He once nonchalantly referred to them as his "supporting cast," a bunch of players who weren't "good for much of anything." After workouts, Jordan would challenge people to shooting contests, for money. And despite being the highest paid player on the team, he always collected.

Not surprisingly, Jordan's competitive spirit animates his life off the basketball court, as well. During his college days he was notorious for upending the Monopoly board when defeat was imminent. David Halberstam tells in *Vanity Fair* how Jordan once lost three consecutive games of pool to assistant Tar Heel coach Roy Williams. He wouldn't speak to Williams the next day.

His business dealings, too, have proven to be just another arena in which to compete. *Fortune* recently pub-

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lished a whimsical econometric analysis, estimating that Jordan is personally responsible for the creation of roughly $10 billion of wealth. This money comes from his salary, ticket sales, television revenues, licensing fees, movies, and product endorsements, of which he is the undisputed king. Dollars, after all, are another convenient way of keeping score. Making more for endorsing Nike shoes than Allen Iverson does for endorsing Reebok; having *Space Jam* (the movie he starred in) gross more than Shaquille O'Neal's movie *Steel*—these are victories to be cherished every bit as much as beating the Knicks.

And Jordan, when he lets down his guard, can be surprisingly clear-eyed about his own single-mindedness. For many pro athletes, the game is a means to an end. Wilt Chamberlain, the dominant player of his era, estimated his sexual conquests in the tens of thousands, and NBA groupies are still legion. For Jordan, on the other hand, the game is the end. He strikes the note of a realist in his glossy autobiography *For the Love of the Game*: "There was a reason for me getting married. That experience of being a husband and a father provided a balance and a focus away from basketball. . . . If I had been single, playing basketball, and making a lot of money, I could have made some wrong decisions." Marriage: another means to becoming the best.

Those who know Jordan are familiar with his ruthlessness and his relentlessness. Doug Collins, his one-time Bulls coach, once observed: "He wants to cut your heart out and then show it to you." Luc Longley, the Bulls' starting center for the last three years and a Jordan booster, was asked to give a one-word definition of his teammate. "Predator," he said.

IN A FEAT ALMOST AS REMARKABLE AS HIS ATHLETIC exploits, Jordan has managed to sustain a public image as benign and cuddly as the cartoon characters he pals around with on television ads. He prudently allied himself with softdrinks that encouraged us "to be like Mike." He stars in underwear commercials frolicking with his wife and children, and in movies with Bugs Bunny and other animated rascals. He never appears in public wearing anything less formal than a suit. He even went to great pains during games to affect an easygoing jokey manner when the cameras were on him. Off-camera he would grab jerseys, throw elbows, and talk trash with the best. And occasionally, the cameras would capture the warrior, as when, during the 1996 NBA Finals, Seattle's point guard Gary Payton tried to argue a call with the referee. Jordan shouldered his way between the two men and began shouting at Payton, over and over again, "This is the Finals! What's wrong with you?"

The two sides of his game showed his deep understanding of what it takes to become a revered champion. It's not enough to be merely very, very good. To be embraced as heroic, you can't be Dan Marino with record upon record but no Super Bowl, Roger Clemens with no-hitters but no World Series ring, or Greg Norman, the all-time leading money man in golf with only two wins in the major tournaments. You have to win everything, and win it often—but then you have to hide the fierceness. The victorious hero-athlete, 1990s-style, needs to be huggable and lovable, like Mark McGwire, the home-run king with a tear in his eye and an embrace for the children of the man he eclipsed.

But in the end, if you really want to "be like Mike," look at the game tapes and not the commercials. Know that before the games Michael Jordan practiced harder than anyone. And know that after the games, while most of his opponents and teammates kicked back and relaxed, Jordan lifted weights. Look beyond the wagging tongue and the ready smile, and what you see is a man who was never soft, who divided his opponents into potential threats and prey. He was willing to forgo mercy. He never had a second thought about hurting, humiliating, or defeating anyone. It never occurred to him that the 40th or 50th or 63rd point might be overkill, that he didn't need to win this game of pool, that you don't have to humiliate rookies. Embed a deep fear in your opponent, and the next time you meet, you can exploit that fear. The thing that makes a man the best, finally, is his determination to do what other men won't.

On June 14, 1998, in the chaotic twilight of the last game of the championship series, Michael Jordan put the kind of move on Utah's Bryon Russell that destroys a man's career. With 6.6 seconds left and the Jazz clinging desperately to a one-point lead, Jordan faked to his right so hard that Russell actually fell down. With biblical certainty, Jordan took the last shot of his career, and the Bulls won their sixth championship. While people streamed onto the court celebrating and hugging, Jordan ran around the floor, his muscular arms raised, and his hands holding up six fingers. On the tape you can see him yelling the word "six" over and over, a look of vindication and furious anger on his face, and in those delirious moments of what, for him, was jubilation, it became obvious that Michael Jordan had no want or need for love and adoration. What he wanted was to leave his opponents stooped and bowed and to receive the acclaim that is owed the victor.

To afford Michael Jordan the respect he deserves means to acknowledge him as what he is, not what we would like him to be. He is the greatest athlete, the most ruthless competitor—the best—the world has ever known. ♦

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RETIREMENT AND THE REPUBLICANS

By David Frum

IT MAY NOT LOOK LIKE IT, BUT THAT GUY, LYING all bloodied on the mat, surrounded by clumps of his own hair and fragments of his own teeth is actually winning the fight.

For three years, almost every important decision made by the Republican party has been framed by a terror of being demagogued by President Clinton on retirement issues, especially Social Security. It was with Social Security that, in 1995, he bludgeoned them during the government shutdown, and it was with Social Security that, in 1998, he intimidated them into cutting no taxes and increasing "emergency" spending by $20 billion. If ever a politician seemed to own a set of issues, Bill Clinton seems to own the issue of retirement security. And yet, while Clinton uses Social Security to score partisan points, he is steadily losing on the issue itself.

To see how badly, look backward at where we have been. The last time Congress made any major adjustment to the Social Security program was 1983, when the Greenspan Commission delivered its report on the crisis of the retirement system. The problem then was the same as the problem now: There will not be enough workers to support the expected number of retirees after 2010 without a big increase in taxes or borrowing. And what solution did Alan Greenspan—no bleeding heart liberal—recommend? A big tax increase, effective right away, and an increase in the retirement age, effective only for the very youngest workers, who (presumably) weren't paying attention.

Back then, there was no shortage of smart people proposing privatization as the best way out. Peter Ferrara published his first book on Social Security in 1979, and it did not languish for lack of attention. Ideas do have consequences, just not right away. Thus, in the early 1980s, advocating privatization still looked to most congressmen like an unnecessarily painful way to commit political suicide. Even Ronald Reagan—hardly a shrinking violet—was brought to heel, as Richard Darman triumphantly recalls in his memoirs:

> He had long argued that Social Security should be voluntary. [Now] he sought (and was soon to get) the prompt enactment of an agreement [that] promised to preserve the integrity of the governmental Social Security system for generations to come. It was a roughly half-and-half mixture of benefit reductions and tax increases.

But what was undoable—and unsayable—then is now freely said. Today, Democrats in Congress, for example Bob Kerrey and Daniel Patrick Moynihan, have endorsed some measure of privatization. An idea that in Reagan's time was treated by the media as lying on the far side of ketchup-as-a-vegetable is now reported on with attention and respect. Nobody is guaranteeing that privatization or semi-privatization will happen. But that it *should* happen has, as Michael Barone observes, become the conventional wisdom. What changed? And what political lessons can be drawn from this change?

The first great change since 1983 is that hard experience has exposed the inadequacy of the benefit-cutting and tax-raising approach to the Social Security problem. In 1977, the FICA payroll tax consumed 11.7 percent of the first $16,500 of wages (half of it deducted from the workers pay; the other half taken from the employer). Today it gobbles up 15.3 percent of the first $64,000, and then 2.9 percent of everything beyond $64,000, even as younger workers have had their retirement postponed from age 65 to age 67. And yet, despite this enormous tax hike and this very real reduction in the value of Social Security benefits, the system is no sounder than it was twenty years ago. Nothing so discredits an idea as complete and utter failure.

But even the most discredited idea can hang on to life, so long as there is no workable alternative. The 1,000 percent increase in the Dow Jones average since

David Frum, a contributing editor to the THE WEEKLY STANDARD, *is completing a book on the 1970s.*

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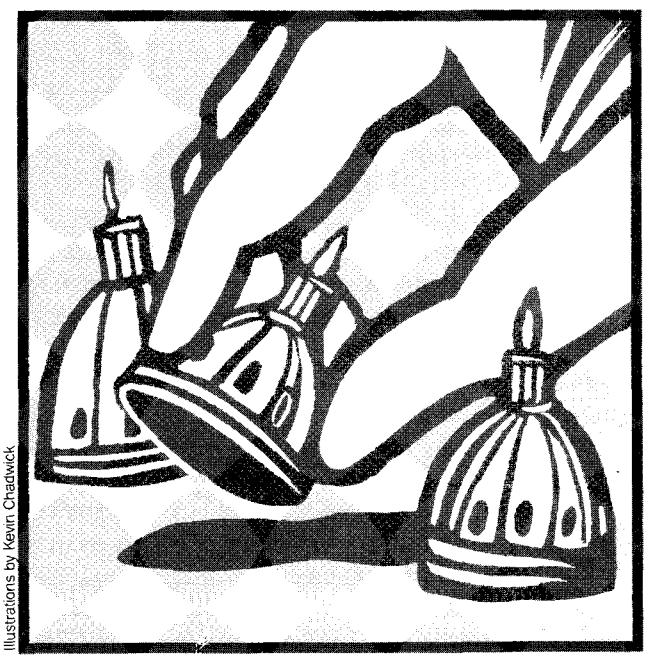
1983—the second great change—has pushed a workable alternative into plain view. Everybody now understands what only a few historically minded economists believed in 1983: that the stock market is the best place to put retirement savings. In 1982, when the Dow Jones average was lower than it had been in 1966—even *before* adjusting for sixteen years of high inflation—Social Security, for all its problems, still looked like a decent bet. Today, the merits of privatization are obvious to each and every one of the 50 million Americans who own shares in mutual funds.

This spreading public enlightenment was not entirely a spontaneous phenomenon. The third great



Illustrations by Kevin Chadwick

change that has made privatization feasible is the stunningly successful campaign of public education conducted by advocates of reform. When Ira Magaziner dreamed up his intricate health-care reform, Daniel Patrick Moynihan warned him that bold new policy departures pass the U.S. Senate by a 70-30 margin or they don't pass at all. In the Reagan era, Social Security tinkerers like David Stockman met with disaster for the same reason: They tried to alter the system suddenly and surreptitiously.

To amend an institution that has been around for half a century and that an entire society relies upon for its security in old age, a broad consensus is necessary. The real battle over the future of Social Security will not be conducted on the floor of Congress: It will be fought in newspaper columns and in television debates. Ross Perot used to ask: "Are we going to *talk about it* or are we going to *do it*?" In a democracy, talking about something *is* doing something. After sixteen years of talk, millions of Americans now understand that Social Security is in trouble and must be fixed. That's an incredible achievement; without it, Social Security reform would seem as esoteric a cause as it did a decade and a half ago. And it isn't only the general public that has to be educated: It's the elites as well.

SOCIAL SECURITY HAS OFTEN BEEN CALLED A PONZI scheme, but in one way it's more like a shell game. Social Security works by distracting the eye. As you try to keep up with the motions of the trust funds (the shells), you lose sight of what counts: the money from payroll taxes (the pea), which the government (the con man) has palmed.

Currently, the payroll tax is raising much more money than is needed to pay the pensions of Social Security's beneficiaries. This money is deposited in the federal Treasury and used the way the rest of the money there is used: to pay for cruise missiles, highways, and presidential attorneys. In return, the Treasury gives the Social Security administration a promise to repay the money in thirty years. These promises are collectively known as the "Social Security trust funds." This transaction is—as most of us have gradually realized—entirely unreal. The money raised by the payroll tax is immediately spent.

When the time comes to pay the baby boomers' pensions, the money will have to be raised from the taxpayers of the day. The elaborate rigmarole of the trust funds does not alter that simple fact. All it does is blind us to the otherwise glaring truth that the problem begins in 2010, when Social Security's costs will start to outrun the revenues from the payroll tax, not in 2030, when the program's accumulated deficit exceeds the IOUs from the Treasury Department. But so long as Washington was blinded, even a man as lucid as Alan Greenspan was obliged to pretend to believe that by piling up bigger and bigger payroll tax surpluses today, we were somehow contributing to a solution to the problem of Social Security after 2010. It would not be quite accurate to say that nobody believes that sort of nonsense now. But the ranks of those who do have certainly thinned.

So the momentum is with the White Hats. Meanwhile, over at Black Hat headquarters, the situation is bleak. They are not yet convinced that the status quo is untenable. You still hear the old troglodytes whispering among themselves that with just a bit of a tax increase and maybe a dollop of inflation, FDR's creaky old wheels can keep on turning. They have no workable alternative: Their version of a big idea is to have the U.S. government invest some of the trust fund in the

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stock market on behalf of Social Security recipients, as if the demerits of state ownership of the means of production had not already been thoroughly explored in this century. They are not building a public consensus, relying instead on stoking the fears of the elderly. Nor are they having much better success with the elites, who are not fooled by a president who makes a big show of demanding action on Social Security without ever offering any ideas of his own.

Calling on Congress to "save" Social Security while refusing to do any of the heavy lifting himself is vintage Clinton. Odds are, the president will repeat that gambit in his State of the Union message. His hope may be that Congress will overreach, discredit privatization by acting before the emerging consensus in its favor has coalesced, and thus save the otherwise doomed troglodyte approach to Social Security. Reform proponents—who have made their case with splendid effectiveness up until now—are going to need to muster all of their self-discipline to resist the temptation to win this fight the wrong way, before a broad consensus in favor of reform has been cemented. Senator Phil Gramm has wisely suggested that any reform plan should offer those Americans already in the work force the choice to remain enrolled in the traditional system if they prefer. It's this sort of reassurance that will make the difference between ultimate success and failure.

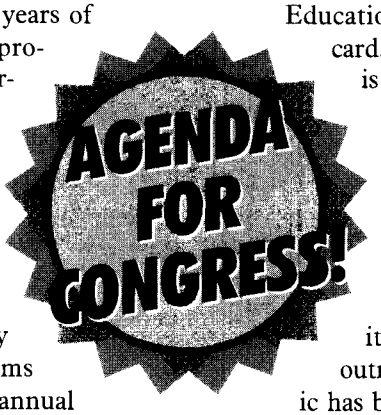
Well, maybe not "ultimate." There is no ultimate anything in politics. After all, if the reformers win on Social Security, they can expect only a weekend off before they have to work on something really hard: Medicare. ♦

EDUCATION

GETTING SERIOUS ABOUT THE SCHOOLS

By Chester E. Finn Jr.

THE 106TH CONGRESS, ONCE IT GETS PAST THE impeachment drama, will have a rare chance to tackle another set of Washington-style crimes and misdemeanors: 34 years of federal education policy and programs so misguided that today they undermine the prospects of reforming the nation's woeful schools.



Most of the big federal-aid programs are due for renewal this year. They are also ripe for rethinking. Three decades after Lyndon Johnson rammed through the Elementary and Secondary Education Act (ESEA) of 1965, it's generally acknowledged that the 60-odd programs enshrined in that massive statute (at an annual cost of some $11 billion nowadays) have failed to accomplish their goals or solve the country's nagging problems of school effectiveness and pupil achievement. Indeed, these programs now get in the way of change-minded states and communities.

Besides ESEA, key measures slated for review by the new Congress include the administration's signature Goals 2000 program and the National Assessment of Educational Progress, aka "the nation's report card." The federal role in education research is up for extension, too.

In the legislative round that begins this year, the Republicans will be in charge of reshaping ESEA for the first time. At a moment when U.S. school performance remains dismal, when surveys show education to be the domestic issue most on people's minds, and when it's clear that Clinton and his allies have outmaneuvered the GOP whenever this topic has been on the table, we might suppose that congressional majority leaders would place this at the top of their agenda. We might also expect them to make common cause with their party's successful "education governors," for example, the Bush brothers, John Engler, Tommy Thompson, and Tom Ridge, all of whom have launched bold state-level school reforms that are show-

Chester E. Finn Jr. is John M. Olin fellow at the Manhattan Institute and president of the Thomas B. Fordham Foundation.

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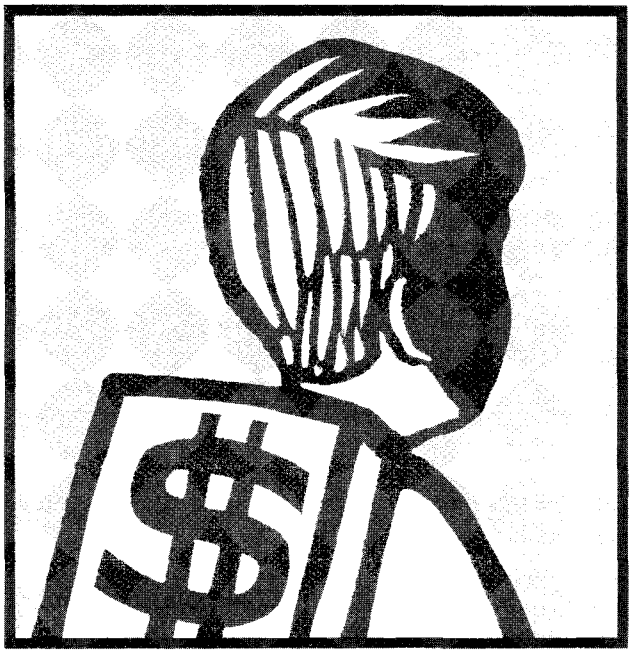
ing good results and have even managed to turn K-12 education into a Republican political asset.

Perhaps congressional Republicans will find a way to do likewise. The governors have been visiting Capitol Hill. The Senate's keenest education reformer, Georgia's Paul Coverdell, is beavering away on legislation. There are sounds of activity on the House side as well, including audible interest from Speaker Hastert. But the White House is working harder and faster. It came out of the 1998 election with the education wind at its back and wants to maintain that lead during the coming presidential contest. Beginning with his State of the Union address, President Clinton will again trumpet his education agenda. He will trot out more focus-group-tested proposals for new programs such as school construction and after-school services. And he will submit an ESEA reauthorization proposal that tweaks the statute further in the direction of what educrats call "systemic reform."



That means top-down efforts to change whole state and local school systems via central planning: centrally determined goals and standards, centrally managed licensure and accreditation schemes, centrally monitored inputs and services, and centrally enforced accountability strategies. Systemic reform is the essence of Goals 2000 and was the driving philosophy of ESEA's 1994 reauthorization. One of the nation's keenest systematizers is Marshall Smith, former Stanford education dean and now number two at the Department of Education.

Systemic reformers trust experts and favor government-style solutions. They have no faith in markets, scant confidence in laymen, and little interest in diversity unless it is centrally planned. They're skeptical of charter schools, hostile to vouchers, uneasy with private enterprise, and wary of too much involvement by politicians and parents in important education decisions.

Since the nation was declared "at risk" in 1983 because of the shoddy state of our K-12 education system, the systemic philosophy has governed nearly everything done in Washington. President Reagan sought to reverse the trend—he proposed voucherizing the big Title I program, for example—but was ignored by Congress. Bush offered a blend of systemic and marketplace strategies, but the latter got nowhere on Capitol Hill. Even Bill Clinton's first Goals 2000 proposal was sent back for redrafting because the plan wasn't sufficiently centralized to suit House Democrats. And during the past six years, almost every effort to inject more consumer-centered or marketplace-style reform has come to naught, either perishing in committee rooms or struck down by Clinton's veto pen.

MEANWHILE BACK IN THE STATES, THE "LABORATORIES of democracy" where most significant education decisions get made, almost 50 different reform strategies are at work. Some hew to systemic orthodoxy. Many, however, move in the opposite direction. Consider the 1,100 charter schools now operating, the publicly funded voucher programs in Cleveland and Milwaukee, another 50 or more privately supported voucher schemes, and the hundred or so public schools now managed by private firms. Even New York, for a long time the most centralized and union-dominated of state school systems, now has a passably serious charter law.

The state reform schemes that show the greatest promise are hybrid strategies: They meld ideas from the systemic warehouse with elements of competition and choice. That's what we see in Texas and Florida, in Michigan and Pennsylvania, in Arizona, Minnesota, and Massachusetts.

The hybrid approach says all schools in the state must attain the same standards in core academic subjects, and all students must demonstrate their mastery by passing the same tests, but everything else is up for grabs. Schools are essentially independent in their operations. They compete for students and resources. They make their own decisions about staff, schedule, technology, and a hundred other things. Dollars follow pupils to the schools of their choice—and no pupil is confined to a bad school. Accountability flows in two directions: to public authorities, who set the standards and monitor the test scores, and to families, which are free to choose different schools if they conclude that it will help their kids.

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Even as hybrid reform strategies gain traction in the states, however, Washington hews single-mindedly to the systemic approach. Such rigidity has become a drag on serious education reform.

Charter schools illustrate the problem. They're spreading like wildfire, with at least 400 new ones just this year. New York was the thirty-fifth state to pass the necessary legislation. They are hugely popular with parents—most have waiting lists—and early returns indicate that they're generally working well, both in boosting pupil achievement and in meeting the needs of children and families. Just as important, the competition from charter schools, for pupils and revenue, is spurring public-school systems to become consumer-minded.

How does Washington treat charter schools? With one exception, it pretends they don't exist. Uncle Sam entrusts his dollars to state and local education agencies from which charter schools must wrest their share if they can. (These, of course, are the very bureaucracies that, in most places, fought to keep charter laws from enactment, and that charter schools seek to escape.) The General Accounting Office has found that many schools don't know how to get these funds or are frustrated in their attempts to do so. That means low-income and disabled pupils in charter schools don't get the federal aid they would receive in regular public schools.

How can this be? Federal education policy today, as in 1965, recognizes only public school systems, not the refugees from those systems even though they represent the front lines of education reform.

The one exception is a special program of federal aid specifically for charter schools. The creation of this program was a typical Washington maneuver, and as such, it is a useful illustration of how the federal government funds and views school choice. Instead of adjusting existing programs to accommodate the new schools and their students, the federal government set up a thin stream of funding for charter schools alone. The program's modest grants are a boon to the founders of such schools, and boosters are glad it's there. But this assistance is nowhere near comprehensive. Furthermore, a needy student enrolling in a charter school must forgo all other forms of federal aid. The federal money that he benefited from while in public school never belonged to him; it belonged to the public school system and, although the student fled that system, Washington still sends it there.

Then there are the regulatory hassles and misdirected dollars. Today's infant charter school is apt to find the Department of Education's Office for Civil Rights crashing down on it if it tries to do "special" education differently. State efforts to ease the teacher quality crisis are confounded by Washington because it channels millions into traditional ed school programs. The "regional education labs" then waste more millions disseminating information, often about faddish, unproven instructional methods, as if educators still inhabited the pre-Internet world of 1965 when the "labs" were created.

Besides interfering with state reforms, the federal programs don't accomplish their own objectives. Title I, the biggest of them all, has sought to narrow the achievement gap between disadvantaged and middle-class youngsters. But study after study shows that this effort has failed. The "safe and drug free schools" program has made U.S. schools neither safe nor drug free. The Eisenhower Professional Development Program hasn't even come close to producing the crackerjack math and science teachers that are its stated mission. The Goals 2000 program, as of 1999, has moved us no closer to the national education goals set a decade earlier. And so forth.

Over the years, Washington's response to this dismal record has become ritualized and predictable. An evaluation says the program isn't working. The program's protectors and interest groups then trot out a package of minor amendments and promise that this time, for sure, cross our hearts, the program will succeed so long as it is recalibrated in the ways they suggest. Almost nobody offers any serious alternative—and those who do are promptly branded enemies of public education. The Congress assents to the recommended tweaking—after ensuring that no school system will lose any money. And in due course, another evaluation reveals, yet again, that the program is not accomplishing its stated purpose.

That's been the pattern for 34 years. The question is whether this next cycle will be any different. It will not, it's safe to say, if President Clinton and the Department of Education's Marshall Smith call the shots again. But what might federal education policy look like if Republicans set out to change it and, perhaps, made common cause with reform-minded Democrats such as senator Joe Lieberman? Three simple ideas should guide the 106th Congress. Taken together, they would legitimize the hybrid approach to education reform in Washington and buttress rather than frustrate state attempts to make it work. They would also leave states free to embrace other strategies.

FIRST, GET OUT OF THE WAY. LET STATES MINGLE THE dollars from those dozens of categorical programs and spend this money on whatever their students

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need most: better teachers, new tests, tutors, reading programs, bricks and mortar, whatever. Jurisdictions that prefer to keep receiving their federal dollars wrapped in red-tape should be free to do so. As with welfare reform, change is most apt to come to an entrenched system if states are allowed to make such decisions. Speaker Hastert seems to be heading down this path with his suggestion that the current half-baked federal program known as "ed-flex" be radically strengthened.

Second, strap the federal money to the kids' backs. If a program is meant to assist children who are poor, handicapped, or don't speak English, whatever aid a youngster qualifies for should accompany him to whichever school he enrolls in. The money belongs to him, not the bureaucracy.

Democrats regale each other with tales of their success in rolling the GOP every time education has been on the agenda since 1994. It is a debacle for Republicans.

Third, focus on quality. Although Congress cannot improve schools, it can insist that states show the public how well their schools and students are doing. The only obligation that Uncle Sam should place on states in return for federal education dollars is that they participate in the National Assessment and publicize their results. If they fear the sunlight, they can forgo the money. (The National Assessment needs a legislative overhaul, too, to buttress its independence from the federal Education Department and the school establishment and to make its tests more frequent and more accessible.)

Radical? Not really. Observe what this is not. It is not a blood-and-guts approach. It does not push states and communities around, substituting one set of Washington-style nostrums for another. It does not claim that vouchers alone will cure America's education maladies. It's not a cry for Uncle Sam to get out of education by scrapping programs, abolishing agencies, and slashing budgets. What, then, is it? Think of it as overdue consciousness-raising about the failure of the time-dishonored Washington approach. Think of it as an unprecedented chance to do things differently. And think of it as smart politics, too, especially for Republicans.

It's common knowledge in Washington that administration officials and Democratic congressional aides regale each other with tales of their success in rolling the GOP every time education has been on the agenda since 1994. Education has, in fact, been a debacle for Republicans at the national level. So how come those Republican governors have made it work politically for them?

First, they've made clear that they believe in public education, albeit public education redefined to include charter schools, contract schools, and any other school that's open to the public, financed by the public, and accountable to public authorities for its results.

Second, these governors have been willing to spend money on good education delivered to real kids in real classrooms. But they have no patience for throwing more dollars at obsolete activities, dysfunctional programs, faddish methods, or swelling bureaucracies. They demand value for their money.

Third, they have nearly always cast their proposals in terms of what's on parents' minds, not abstractions such as block grants. What parents (and taxpayers) want for children is basic skills, high standards, safety, sure-fire classroom methods, terrific teachers, and greater say over how the kids are educated. Clinton and company are masters of that rhetoric. So, too, are the GOP governors who have done well with the education issue.

What about the push for bipartisanship and compromise? To date, compromise in the education arena has meant giving the White House nearly everything it wants while attaining no Republican objectives. It's reminiscent of Jimmy Carter's approach to détente. (The other side gets to take Afghanistan and Ethiopia but we get to keep France and Canada.) That's not bipartisanship. It's near-capitulation.

What could be more bipartisan than a hybrid strategy that embraces standards and accountability, on the one hand, and freedom and choice on the other? What compromise could be more timely than one that enables states to take charge of school reform and doesn't try to make them all do the same thing? Yes, most successful Republican governors have been bipartisan in their approach to education, but they have not allowed themselves to be rolled. They have been Reaganesque: principled, resolute, and sly, yet forward-looking, openhanded, and cheerful. The 106th Congress could do worse than to emulate them. It probably will. ♦

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MORE BANG AND MORE BUCKS

By Frederick W. Kagan

ALL PARTIES, FROM THE PRESIDENT TO THE new speaker of the House to the Joint Chiefs of Staff, now agree that America's armed forces are underfunded. There remains disagreement only on the size of the shortfall. When questioned in January by members of the Senate Armed Services Committee, the chiefs stated that the increase the president is asking for is insufficient, and they're right. If we do not fundamentally rethink the sums we are prepared to devote to our military forces, we will soon be placing America's security in danger.

Testifying before the Armed Services Committee back in September, the chiefs and others revealed serious problems in the areas of readiness, modernization, personnel, and infrastructure. The military's readiness to fight, now and in the future, is in jeopardy; and its ability to attract and retain first-class people is dropping alarmingly, as the quality of life of servicemen and women declines and the facilities needed to support their work deteriorate.

As of September, the committee was told, most units in "Forces Command"—the Army's "911" force, which must be ready to go at a moment's notice—were at the lowest level of readiness consistent with their missions. The 82nd Airborne, the 101st Airmobile, the 3rd Infantry, and the 1st Cavalry Divisions, among others—the units we have called on to respond to Saddam's threats and to enforce the peace in Bosnia—fall into this group. Army chief of staff Dennis Reimer testified that if readiness is not addressed quickly, "we run the risk of returning to the hollow Army, or else we run the risk of not being able to execute the National Military Strategy."

Serious readiness problems also beset the other services. Admiral Jay Johnson, the chief of naval operations, stated that the readiness of non-deployed ships and aircraft "has continued to erode this year." The carriers and planes that sail into danger are still able to fight, he said, but those that would have to support them or deal with unforeseen problems might not be ready to do so. The readiness of the Navy's non-deployed carrier air wings, for instance, was "the lowest it's been in a decade." In his January 5 testimony, Johnson added that the USS *Enterprise* had attained full operational readiness only days before it deployed to the Middle East—where it would be the base for some of the December strikes against Iraq. General Michael Ryan, Air Force chief of staff, reported a 14 percent degradation in the readiness of the Air Force's major operational units since 1996. In one command the decline was a precipitous 50 percent.

Even in the Marine Corps, which has kept its warfighting readiness high, there are problems. General Charles Krulak, the commandant of the corps, told an anecdote about a Marine private deployed in Kuwait. A visitor asked the young man what he would like most to have just then, expecting

> the Marine was going to say "I'd like a cot, or a hot meal, or a shower." But not this Marine. Three days before Christmas, a half a world away from his loved ones, in the sand and foxholes with his buddies, he had only this one request: "I could use some more ammunition. I could use some more ammunition."

Such relatively high readiness as the Marines have maintained has come at a hideous cost to their future capabilities. The Marines have had to shift funds from modernization to pay for current needs, with the result that their equipment is aging and breaking. Krulak told the committee, "I am afraid that we will merely scrape off the skin cancer of near-term readiness and allow our long-term readiness cancer to metastasize." The problem, he said, is inadequate funding for modernization.

Admiral Johnson heartily seconded these comments. The Navy, he noted, has had to divert funds from mod-

Frederick W. Kagan is assistant professor of military history at the U.S. Military Academy at West Point. The views expressed here are his alone and do not necessarily reflect those of the U.S. Military Academy, the Army, or the Defense Department.

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ernization to training and spare parts. Investment in modernization has declined by more than half since 1990, he reported, adding, "When you defer upgrades, it means you're dealing with older equipment, which requires more maintenance, which costs more, which puts more work burden on the sailors, which increases the risk. It's a predictable but vicious cycle." Johnson concluded, "We can't sustain the Navy with the budget that we have."

And the problems do not end there. Scrounging to maintain readiness, the armed forces have also had to starve quality of life and infrastructure programs on military posts, at a cost of serious attrition of critical talented personnel who are unwilling to work at rundown bases and in dilapidated equipment for far less money than they could be earning in the private sector.

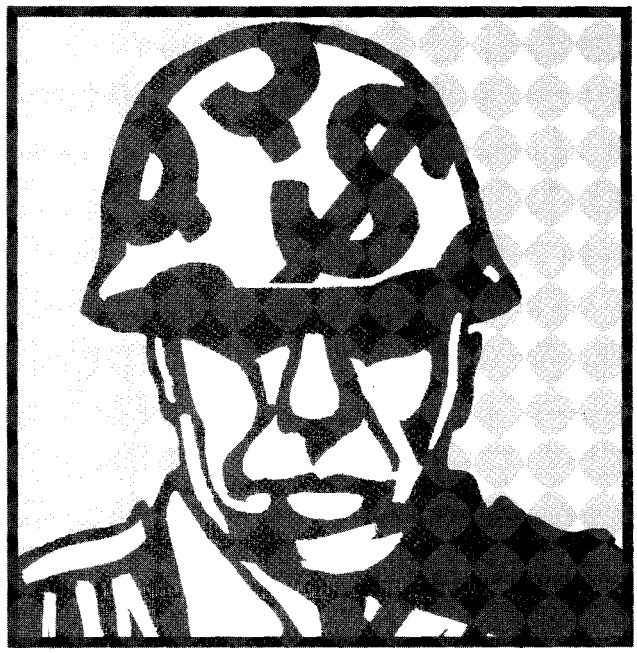
The problem of retaining quality people is particularly noticeable in the Air Force. Pilots are being wooed by commercial airlines that offer better pay, health care, and retirement plans and are leaving the Air Force at an increasing rate. In January, General Ryan warned that the Air Force might well come up 850 pilots short this year and 2,000 pilots short by 2002, which is 15 percent of the number needed to sustain operations. He predicted a "readiness crisis" if the trends are not reversed "through substantial and sustained" increases in funding.

WHAT DOES ALL THIS MEAN FOR AMERICA'S security? Could the armed forces execute the Pentagon's National Military Strategy, fighting two regional wars nearly simultaneously while conducting minor operations as well? The chiefs' testimony makes clear that they probably still could, but at a price of heightened danger. General Shelton told the committee that America would win both conflicts, but doing so would take longer and cost us more casualties than we would face if the armed forces were properly maintained.

General Ryan noted that the Air Force's readiness is uneven, with a marked shortfall in airlift capability. This has been obvious to many for a long time, and it is worrisome, for without adequate airlift, none of the services can hope to handle two simultaneous conflicts.

General Reimer stressed the same point. If the United States were already at war in one theater and a second conflict broke out, he said, not only would the Army Reserve and National Guard have to be fully mobilized, but some 70,000 soldiers would have to pull out of the first war and travel, presumably several thousand miles, to plunge right into the second. What if the first conflict dragged on? What if the airlift capacity were not available to make the move? Worse, General Reimer added that the Army would have to pull back any forces involved in peacekeeping missions like Bosnia and immediately ready them to enter the major conflict—even though the skills required for peacekeeping are inadequate for warfighting. General Reimer's testimony calls seriously into question the Army's ability to execute the National Military Strategy with an acceptable margin of risk.

Senator Strom Thurmond cut to the chase in September. He asked whether the funding levels set by the Balanced Budget Agreement of 1997 "are sufficient to maintain military readiness in the near term and provide the necessary modernization" for the future. All of the



chiefs responded with a flat "no." Asked how much more money they need, Reimer called for $5 billion a year, Johnson for $6 billion, Ryan for $5 billion, and Krulak for $1.5 billion—all of them noting that additional funds were required above and beyond those increases to address the quality-of-life issues. In sum, the armed services, according to the chiefs, need at least $17.5 billion more a year simply to carry out current policies, bring readiness to an acceptable level, and begin to modernize. Much more is needed to improve the forces' ability to recruit and retain high-quality people.

But the chiefs were understating the problem. The sums they asked for would simply prevent further degradation of the armed forces' ability to function. The armed forces would still be too small; and modernization would cost far more than current budgets anticipate. In 1997, the National Defense Panel estimated that $5 billion to $10 billion more than was then planned

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would be required to fund the panel's modernization program. The defense budget, then, is some $27 billion too low. But even that figure may fall short.

In testimony a year ago before the Senate Armed Services Committee about the report of the National Defense Panel, former secretary of defense James Schlesinger warned, "You can't get there, that desired point in the 21st century, from here, given the apparent fiscal limits." He stated that with the present tempo of operations, another 1 percent of GDP—say $70 billion—would be necessary to maintain and adequately modernize the force. That would bring the defense budget to about $330 billion annually—some $34 billion (or 9 percent) less than we spent on defense in 1989. Can it really be that the armed forces in this period of relative peace require 90 percent of what they needed to confront the Soviet Union?

The peace dividend has always been a myth, and a dangerous one: The armed forces' new mission costs more than we are currently willing to pay.

Yes, it can, for conditions today are totally different from those that prevailed in 1989. We deterred the Soviet Union with nuclear weapons—our own, at home and in Europe, and those of the British and French, as well. Nuclear weapons are expensive individually, but very cost-effective by comparison with conventional forces. During the Cold War, we maintained an Army of 18 divisions—8 more than today—but it was never intended to defeat the Red Army by itself. In addition to the forces of our NATO allies, which were far larger then they are now, plans for a war with the Soviet Union anticipated the call-up of all reserves and National Guard forces and probably a full national mobilization—after all, it would have been the Third World War. The Army was just the vanguard of the mobilized nation.

That situation no longer holds. For most contingencies we can imagine today, there will be no national mobilization and probably only a selective call-up of reserve and guard forces. The active-duty Army is not a vanguard anymore. Together with certain ready-reserve and guard units, it's all we have. There is no easy way to compare the cost of maintaining a vanguard force, tailored to a particular mission in a known area against a thoroughly studied enemy, with the cost of maintaining a force ready to go anywhere in the world at a moment's notice with no warning and little foreknowledge of who, why, and how it might be fighting.

The Air Force and the Navy face similar difficulties. Although they were more than vanguard forces during the Cold War, they too had the advantage of knowing who their enemy was, what he would try to do, and exactly how we planned to stop him. They also knew that, were they stationed off Soviet ports or called upon to bomb Soviet rear bases over an extended period, the nation would be mobilizing behind them and resources, reinforcements, and replacements would be provided to sustain the effort.

Today's task of maintaining carrier battle groups or fighter wings permanently ready in any one of several high-risk regions for an indefinite time without the benefit of a national mobilization is a totally different kind of challenge. The peace dividend has always been a myth, and a dangerous one: It is impossible to know in advance how much or little the armed forces' new mission will cost except by experience evaluated honestly. So far, experience shows that it costs more than we are currently planning to pay.

Finally, in 1989, we were not proposing, as we are now, to transform the armed forces in keeping with the new high-tech revolution in military affairs. If, within the next decade or so, plans are not well along to replace all of the major weapons systems of all of the services with entirely new systems appropriate to the new nature of war, America's danger will be very great indeed. Smart munitions in the hands of our foes will prevent us from even landing forces on, flying planes over, or sailing ships near the theaters where we need to intervene. Warfare may well move too rapidly for us to take several days to put forces on the ground and several months to build up an offensive capability, as we did in the Gulf. We may be unable to defend our allies and pursue our interests. Unless a missile-defense system is deployed in short order, moreover, we may find the United States itself under direct attack. This is not scaremongering. This is reality, and if we do not face it soon, more squarely than anyone seems to be doing today, we place our security and the security of our children in peril. ♦

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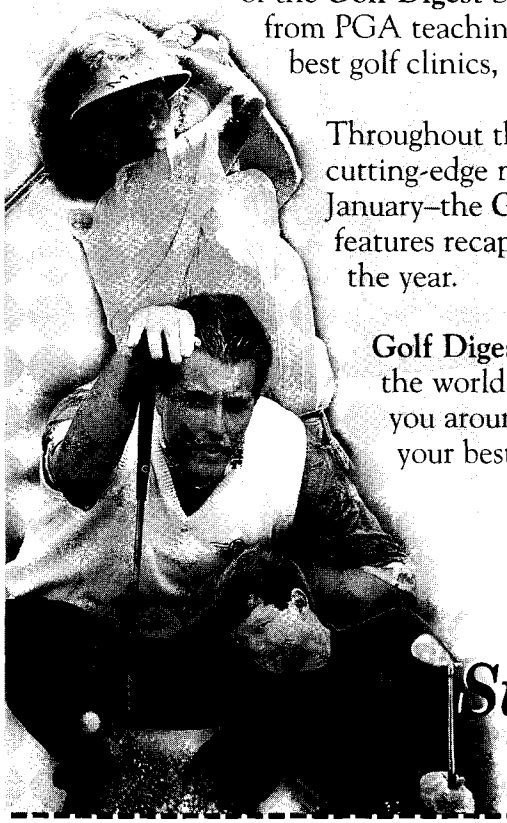

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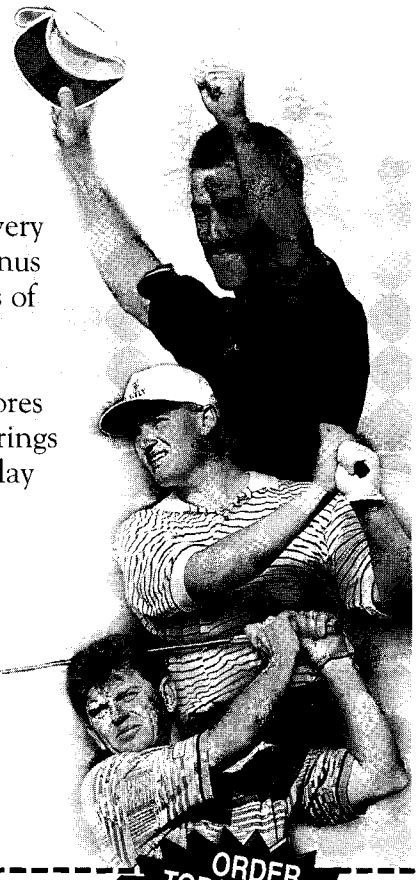

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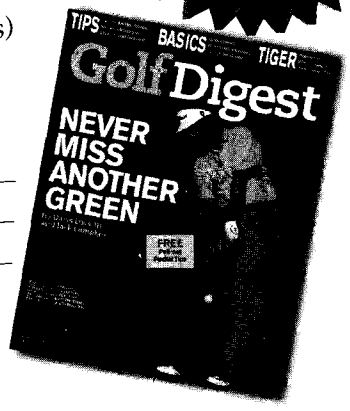

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JURASSIC MARX

Cultural Studies discovers the dinosaur

By Paul A. Cantor

This is not a coffee table book about dinosaurs, but it comes close. *The Last Dinosaur Book* is cleverly, colorfully, and lavishly illustrated. It is filled with movie stills, comic strips, cartoons, and, if that is not enough to hold your interest, you can flip pages 95 to 227 and watch an animated dinosaur come to life.

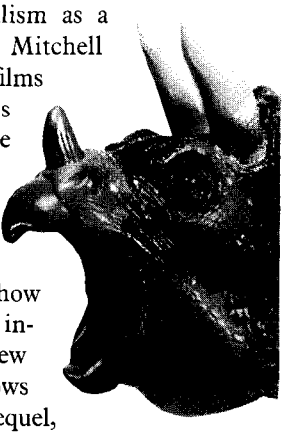
But before you think you have found the perfect present for that child who loves extinct behemoths, you should be cautioned: *The Last Dinosaur Book* is an exercise in iconology, not paleontology; it's not about dinosaurs but about our cultural image of dinosaurs. Its author, W.J.T. Mitchell, is a professor of English at the University of Chicago, untrained in zoology and biology.

That doesn't mean he lacks a fascinating tale to tell. Mitchell traces the evolution of the image of the dinosaur in popular culture, and shows how it has changed in response to economic, social, and political developments. Dinosaurs, for example, functioned as symbols of enormous power during the machine age of the nineteenth century. As Mitchell writes, "the dinosaur makes its appearance with all the other modern monsters, coming into public consciousness in the same period, and as a product of the same forces that produced the tank, the locomotive, the steamboat, and the skyscraper."

But now in the information age, our image of the dinosaur has changed. We no longer picture dinosaurs as slow, lumbering brutes. The new star of the dinosaur world is the velociraptor, smaller and less imposing, but smarter, agile, and ultimately more threatening because it hunts in packs. Mitchell coyly asks: "Could this be an allegory of the replacement of corporate giantism by the new model of 'downsized' business organization, stressing flexible accumulation, rapid deployment of task forces to problem areas, and teamwork?"

W.J.T. MITCHELL
The Last Dinosaur Book
The Life and Times of a Cultural Icon
University of Chicago Press, 336 pp., $35

Mitchell insists on finding economics beneath all cultural phenomena. Indeed, Marx is one of the dinosaurs he'd like to resurrect: "We need Marx to understand the relation of dinosaurs to politics and economics, to the development of capitalism as a world system." While Mitchell makes much of recent films like Steven Spielberg's *Jurassic Park* that place their dinosaur subjects in the new context of multinational biotechnology corporations, he also reveals how contemporary ideology influences those films' view of dinosaurs. He shows that the *Jurassic Park* sequel, *The Lost World*, "is a veritable hymn in praise of dinosaur family values, portraying its T. rex couple as ferociously nurturing parents." In *The Lost World*, the beasts spend more quality time with their offspring than the humans do.



Though Mitchell concentrates on the United States, he notes that the sto-

Paul A. Cantor is professor of English at the University of Virginia.

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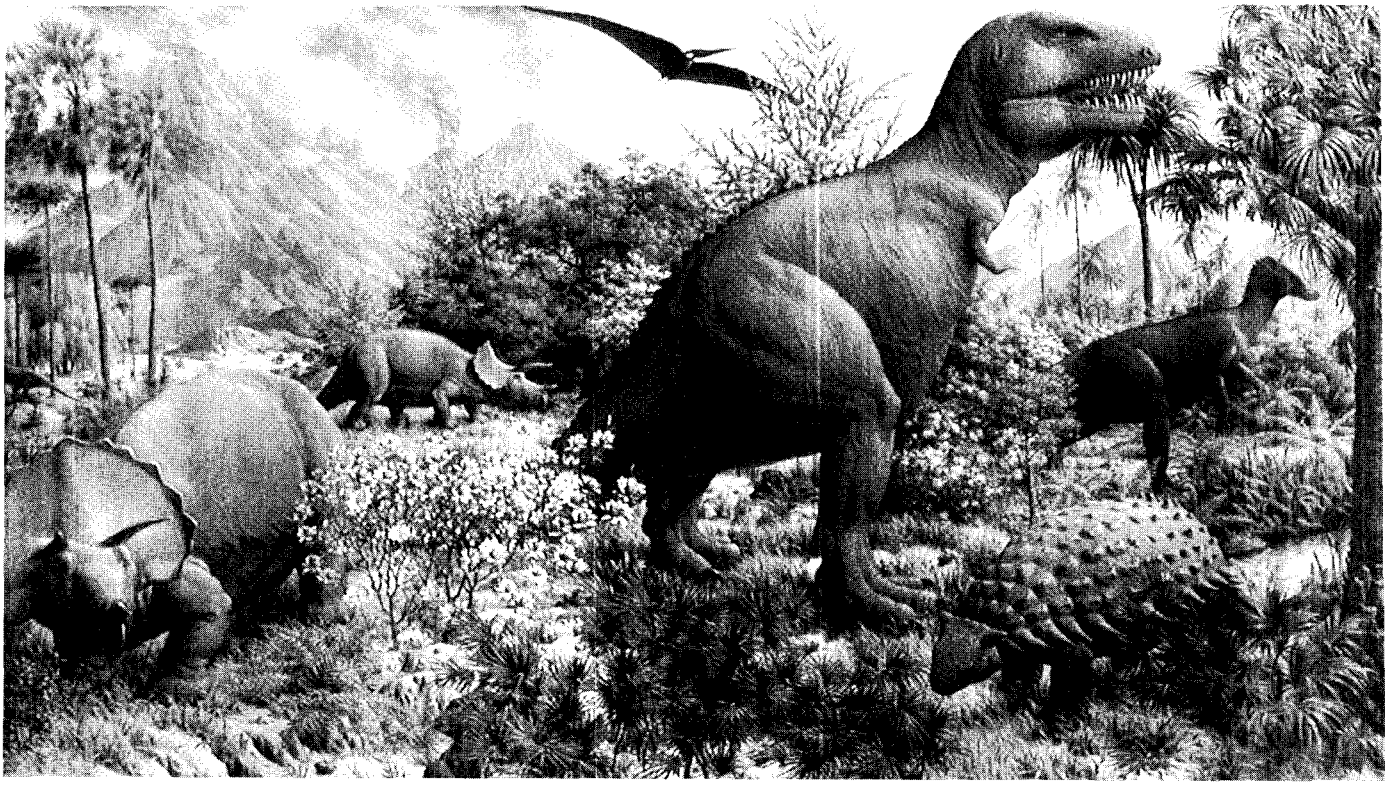

ry of the dinosaur as a cultural icon really begins in Britain. The original attempt to popularize dinosaurs was the 1851 Exhibition at the Crystal Palace in London, where giant-sized models of creatures like the iguanadon were displayed for the first time. Given the roots of our dinosaur imagery in Victorian Britain, Mitchell argues for a connection between dinosaurs and empire: "The dinosaur can symbolize the dominant 'master race' that commands a global empire, the vanished, savage races that lost out in the Darwinian struggle, or an invading horde of aliens who threaten white supremacy."

Here I think Mitchell is really onto something. For much of this century, dinosaurs were portrayed as strong physically, but weak mentally. This is exactly the image that Western colonial powers held of the non-Westerners they subdued. Thus when dinosaurs appear in modern stories, they are invariably found in remote jungles or backlands in Africa or South America and are often linked with primitive tribes who worship or fear them.

The typical dinosaur story contrives to transport one or more of the giant beasts to a metropolitan area in a major industrial nation. The fight to the death that inevitably results was an emblem of the struggle between the First and Third Worlds, brute strength pitted fatally against modern technology—precisely the battle played out time and again on colonial frontiers.

Unfortunately, Mitchell passes far too quickly over the book that most clearly made the connection between dinosaurs and imperialism. He devotes only one paragraph to Arthur Conan Doyle's 1912 *The Lost World*, the prototypical dinosaur story about an expedition that finds the supposedly extinct creatures alive and kicking on an isolated plateau in Brazil. The plateau is inhabited not just by dinosaurs: Doyle peoples it as well with two hostile tribes—one of humans, the other of ape-men, "and there is bloody war between them all the time." Once we learn that these South American ape-men have the unexpected feature of red hair, the key to Doyle's allegory becomes clear. His lost world is really Ireland—truly a land of dinosaurs if an Englishman ever saw one. Born in Edinburgh of Irish Catholic parents, the very English Sir Arthur Conan Doyle takes the Victorian view of the Irish as subhuman. (Early in the book, the hero, Professor Challenger, invoking antiquated Victorian racial theories, takes one look at the Irish narrator and sees a "suggestion of the negroid" in his features.)

Doyle finally allows the humans to obliterate the ape-men in one grand apocalyptic battle. His description of the struggle, largely pointless in the context of Brazil, fits Ireland perfectly: "All the feuds of countless generations, all the hatreds and cruelties of their narrow history, all the memories of ill-usage and persecution were to be purged that day." Doyle used his dinosaur story to develop a British imperial fantasy of an Irish Armageddon.

I offer my own reading of Doyle's *The Lost World* to back up one of

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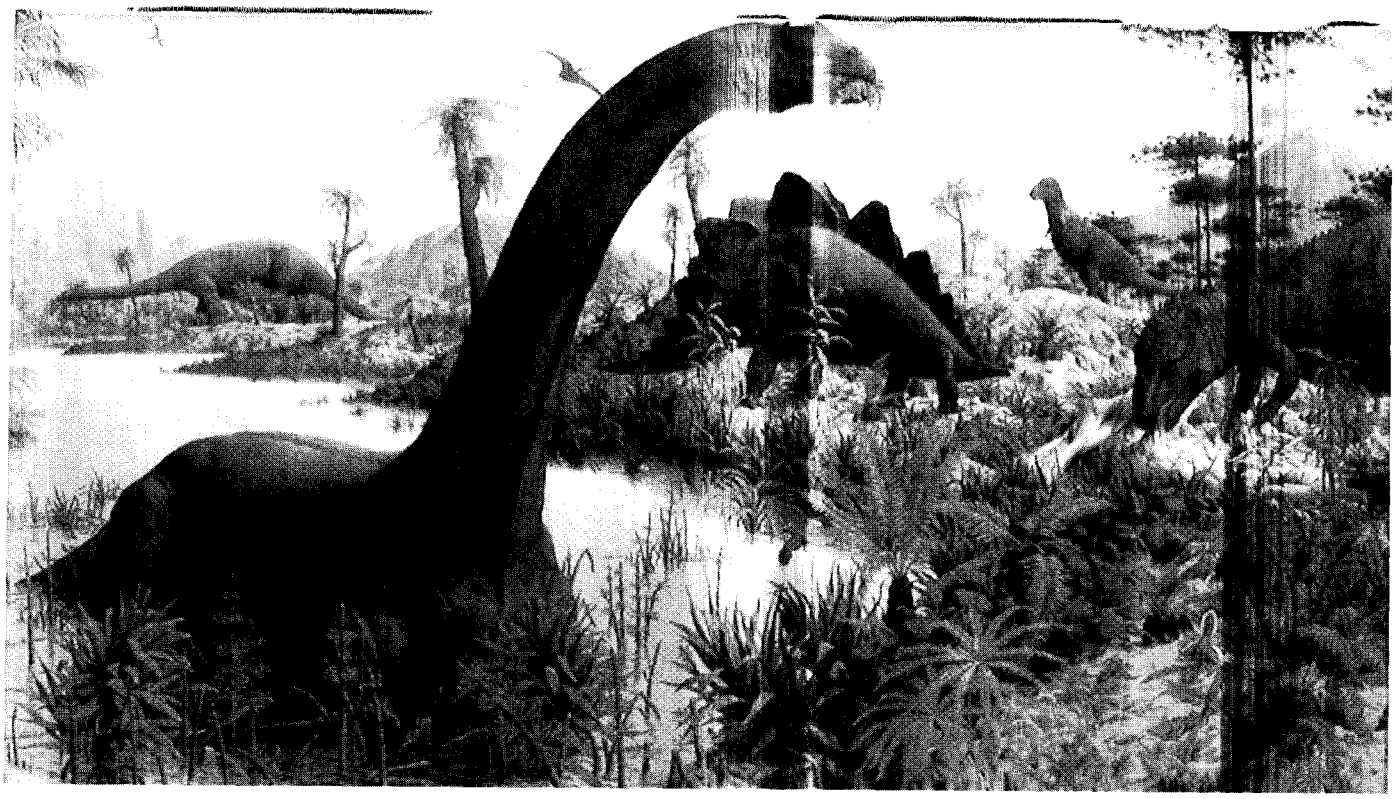
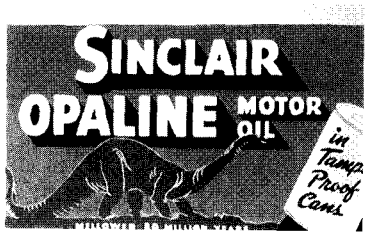


Mitchell's central claims, but also to suggest that, despite his having half-jokingly entitled his work *The Last Dinosaur Book*, much remains to be done in investigating the cultural symbolism of the "thunder lizards." It is surprising that Mitchell says nothing about the Brazilian author Márcio Souza's *Lost World II: The End of the Third World*. This postmodern, post-colonial rewriting of Doyle makes explicit many of the connections Mitchell tries to tease out of modern culture, above all, the identification of the dinosaur with the capitalist.

Readers familiar with the movement known as Cultural Studies will have already recognized that Mitchell's book is an example of it, and indeed *The Last Dinosaur Book* exemplifies the best and the worst of what is fast becoming the dominant approach in literature departments throughout the United States. Mitchell certainly makes us take a fresh look at the dinosaur as an icon in popular culture. In the end, however, he never really grasps the phenomenon on the ground level of popular culture rather than on the airy level of academic abstraction. He has much to say about what dinosaurs mean but very little to say about why so many people are attached to them.



When English professors like W.J.T. Mitchell start writing about movies like *Jurassic Park*, traditionalists are outraged, as though they were somehow asserting the superiority of Steven Spielberg to William Shakespeare. But Mitchell makes clear he doesn't especially value popular works about dinosaurs. In fact, he is hostile to popular culture in general. He approaches it with the attitude of a physician, determined to diagnose its ills. He wants not just to analyze our images of dinosaurs, but to demystify and debunk them. He is out to demonstrate that when we seem to be interested in dinosaurs, we are really betraying our anxieties about something else. In short, Mitchell has other fish than dinosaurs to fry, and his subject is merely a pretext to criticize capitalism.

Cultural Studies, far from being a populist movement, is elitist and analyzes popular culture from the Olympian perspective of the left-wing academic intellectual. Beneath the surface of *The Last Dinosaur Book*, a contempt for American popular culture is always bubbling up. There is in fact only one moment when Mitchell seems to side unequivocally with the dinosaurs—when he talks about the way the tyrannosaurs attack a variety of sports-utility vehicles in the *Jurassic Park* movies. Evidently there is nothing he hates more than a Ford Explorer:

> According to auto industry reports, 95 percent of "off-road vehicles" never leave the road; they spend most of their lives parked in suburban garages, as monuments to advertising fantasies of family wilderness vacations, gas-guzzling testimonials to the cheap oil supply made possible by the American military adventure in the Persian Gulf.

In offhand moments such as this, Mitchell's not-so-hidden agenda surfaces with a surprising preachiness. The dinosaur is not the real target of Mitchell's animosity—the way of life of the middle-class American is, and above all the American love of consumer goods.

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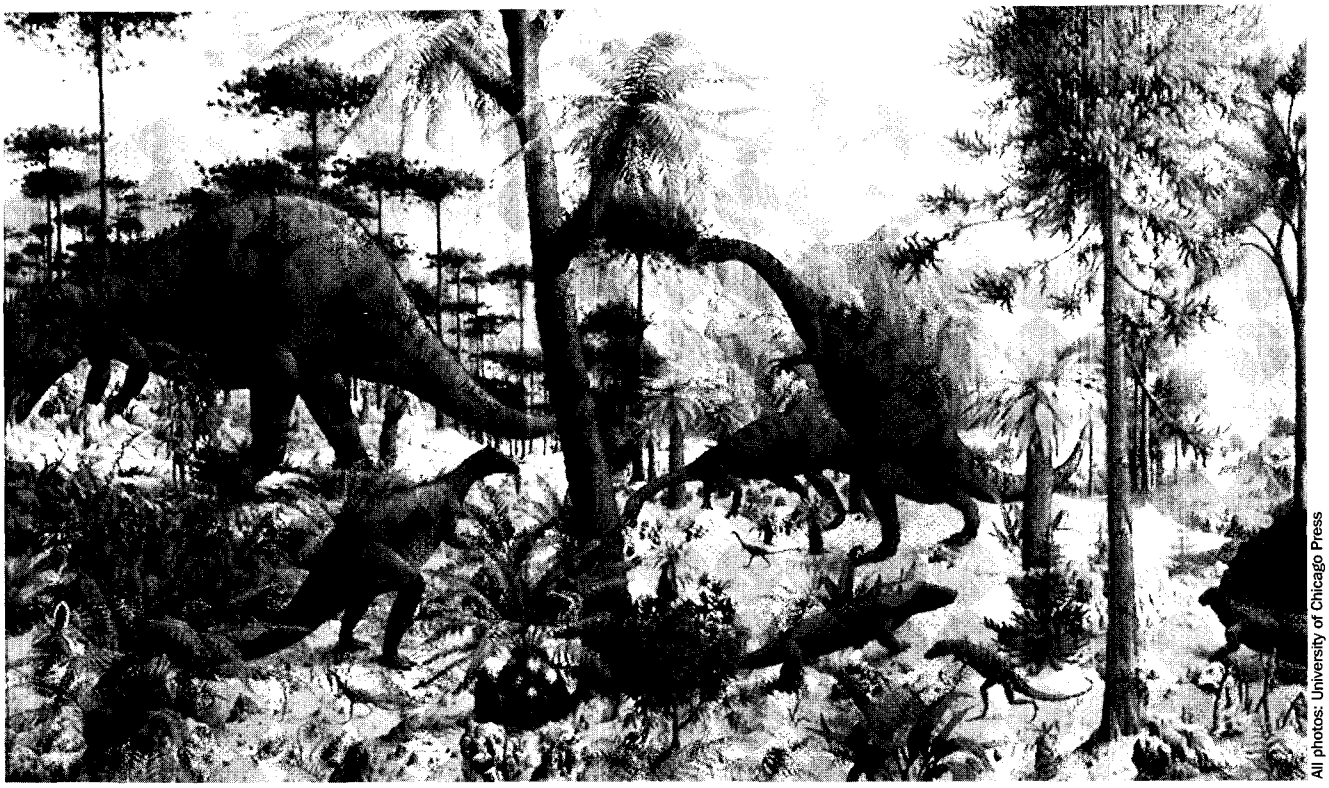

All photos: University of Chicago Press

In Mitchell's view, because something is called an "off-road vehicle," it had better stay off roads, and if it somehow turns up in a suburban shopping mall, something has gone desperately wrong with America. Mitchell is generally willing to read things symbolically instead of literally, but he won't allow consumers any fantasy component in the enjoyment of their purchases.

The trouble with Cultural Studies is not that it shows too much respect for popular culture, as many traditionalists claim, but that it shows too little. Is our culture's interest in dinosaurs really so surprising, and do we have to follow Mitchell in attributing it to base, material interests? Could one not find some higher impulse at work in our love of dinosaurs, even if at times it takes what appear to be crassly commercial forms?

I think it says something good about the American people that they cannot get enough of their beloved dinosaurs. They are displaying at least a form of scientific curiosity. Aristotle said that philosophy begins with wonder, and dinosaurs are wondrous. It is a challenging thought that animals so unlike those alive today once walked the earth in such diversity and profusion. Dinosaurs clearly stretch our notion of the limits of the animal kingdom; there is something sublime about their sheer bulk and terrifying power. Mitchell does not mention the fact that as early as the beginning of the nineteenth century, Romantic poets like Byron and Shelley were already responding to the imaginative potential of new paleontological discoveries. (Shelley even anticipated the asteroid theory of dinosaur extinction in Act IV of *Prometheus Unbound*.)

DINOSAURS HAUNT US WITH IMAGES OF OUR HEROIC PAST—A HOMERIC AGE WHEN STRENGTH GAVE TITLE TO RULE.

Mitchell is particularly puzzled by the fact that *Jurassic Park* was the biggest money-making film of all time, until surpassed by James Cameron's *Titanic*. If I may indulge in a little Cultural Studies myself, the success of these two films suggests that people everywhere are gripped by stories of very big things that suddenly and mysteriously go under. In traditional literary criticism, there is a name for this kind of narrative: It is called "tragedy." Several of Shakespeare's tragic heroes—Othello, King Lear, Coriolanus—might be described as dinosaurs: titans who have outlived their era and survived into an age of petty creatures who combine to bring them down. *Jurassic Park* is no *King Lear*, but in the story of the giant beasts, the public somehow intuits a tragic fate. The dinosaur offers a vulgar and much simplified analogue of what Shakespeare presents in his profound tragedies: an antique grandeur facing extinction.

Indeed one way dinosaurs function in popular imagination is as images of our aristocratic past. "Tyrannosaurus rex"—king of the tyrant lizards—reminds us that the principle of democracy is a comparatively new thing. The fact that we routinely speak of "when dinosaurs ruled the earth" shows that there is a political dimension to our understanding of the thunder lizards.

Mitchell is leery of the place dinosaurs occupy in the elementary school curriculum. He is afraid that stories of the great beasts may be teaching our innocent children politically incorrect lessons in aggressiveness and violence. But perhaps that is precisely the function dinosaurs serve in our culture: They are a challenge and a counterweight to the gospel of niceness that dominates public education. (And Bar-

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ney—the hyper-nice children's television host dressed up as a purple dinosaur—may be the education establishment's revenge on dinosaurs.)

Like the extraterrestrials dressed in togas and carrying Roman swords in 1950s science-fiction movies, the dinosaurs rise up out of our historical past to haunt us with images of pre-democratic and traditionally heroic forms of greatness—a kind of Homeric age when sheer strength gave a title to rule. In one of his notes, Nietzsche wrote: "One would make a fit little boy stare if one asked him: 'Would you like to become virtuous?'—but he will open his eyes wide if asked: 'Would you like to become stronger than your friends?'" Nietzsche, like Aristotle, would understand our fascination with dinosaurs. ♦

ON THE PILL

The American Way of Birth Control

By Claudia Winkler

With *On the Pill: A Social History of Oral Contraceptives, 1950-1970*, Elizabeth Siegel Watkins has labored and brought forth an intriguing artifact: an articulate study of a turning point in American mores, full of worthy material—yet so distorted by ideological myopia as to be more valuable as *evidence* of our social transformation than as an *interpretation* of it.

ELIZABETH SIEGEL WATKINS
On the Pill
A Social History of Oral Contraceptives, 1950-1970
Johns Hopkins University Press, 183 pp., $26

Watkins's short book tells the story of the genesis of the Pill and its early reception by the public. The first new contraceptive of modern times, and much the most reliable, the Pill was born at a time of optimism about scientific progress. It was immediately welcomed by women, doctors, and the mass media as a boon to married couples. In the mid-1960s, however, there emerged evidence of possible health risks, and Watkins—a Harvard-trained historian of science—recounts the inconclusive debates about the proper response to those risks. The lopsidedness that is the central defect of the book resides in the yoking together of a shallow treatment of a big subject—the sexual revolution—and the painstaking documentation of such vastly less significant matters as the origins of the women's health movement.

Not that the origin of the Pill makes for an uninteresting yarn. The idea came from that tireless crusader for population control, Margaret Sanger, the founder of Planned Parenthood, while the suffragist Katherine McCormick dipped into her husband's International Harvester fortune to provide the funds. To head the research effort, begun in 1953, Sanger recruited biologist Gregory Goodwin Pincus, who had a longstanding association with the drug company G.D. Searle. Pincus in turn enlisted John Rock, an obstetrician-gynecologist at Harvard Medical School, to run the clinical trials. Rock lent the effort the prestige of Harvard; and he had other useful attributes: "Being a good R.C. [Roman Catholic] and handsome as a god," gushed Sanger, "he can just get away with anything." It's true that he was some kind of R.C., but he was eager to see the birth-control opponents in the Church—the "rhythm cultists," as he called them—routed.

The experimental work on a hormone-based contraceptive in the mid-1950s provides fodder for one of Watkins's major themes: the evolution of standards of informed consent and product safety in medicine. Among the first human subjects used in tests of synthetic hormones were twelve psychotic women; and the first large-scale field trials of the Pill, conducted among residents of housing projects in Puerto Rico, would be criticized by feminists a decade later for failing to demonstrate the drug's long-term safety. At the time, however, the federal government approved new products on the basis of efficacy, not safety. The agency gave the oral contraceptive a green light in 1960, and Searle brought it to the market under the name "Enovid."

It was only the following year that a catastrophe in Europe clouded the prevailing optimism about new drugs, when a spate of infant deformities were traced to the mothers' ingestion of the sedative thalidomide early in pregnancy. Confidence in the miracles of science was giving way to what one researcher would call a "pollution-conscious, post-thalidomide sensibility, far different from the wonder-drug optimism of the 1950s."

Watkins discusses in considerable detail the emergence of research casting doubt on the Pill's safety. Because the findings were tentative, women were left to weigh possible ill-effects against the superior reliability of the Pill as a contraceptive. Most doctors remained enthusiastic, and the number of new prescriptions continued to rise, though the rate of increase slowed. Watkins devotes a chapter to the 1970 Senate hearings chaired by Gaylord Nelson that led to the Food and Drug Administration's requiring a seven-sentence insert in Pill packages informing Pill users that they might suffer side effects and that their doctor could provide a longer information booklet.

In her introduction, Watkins applies the word "drama" to this late-1960s debate over the safety of the Pill. But she can spare so potent a word for this purpose only because she fails to apply it where it properly belongs: to the sea change in sexual morality associated with her subject.

Claudia Winkler is managing editor of THE WEEKLY STANDARD.

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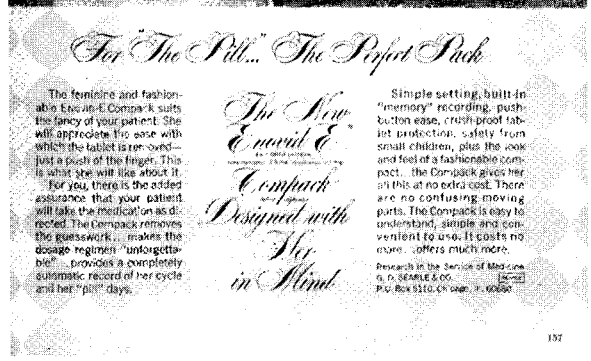
Watkins handles this large slice of social history strangely. She fastidiously distances herself from the many who, over the decades, have seen in the Pill the symbol of the sexual revolution (or "the so-called sexual revolution," as she first puts it). Carrying scholarly agnosticism to the extreme, she writes, "The Pill did indeed revolutionize birth control, and radical changes in sexual attitudes and conduct did take place, particularly among young people, but no one ever established a connection between these two phenomena."

Watkins makes much of the lack of survey data on contraceptive use before 1971, and she's right that we don't actually know how many single women took the Pill in the 1960s. Nor would anyone quarrel with her insistence that the Pill was not the only cause of the sexual revolution.

But, if nothing else, the sheer ubiquity of the Pill's use as a symbol for the dismantling of sexual taboos ought to be a tipoff: This invention had a hold over people's minds. It made possible sex with next to no fear of pregnancy. It separated intercourse from birth control, sanitizing sex of any messy reminders that procreation was even an issue. And, most of all, it invited a new way of thinking about sex—starting with that defining 1960s idea "free love." This book fails to explore creatively—because it fails even to admit—the relation that plainly does exist between the arrival of a near-foolproof oral contraceptive and the new flourishing of uncommitted sex, with all its social consequences.

Part of the problem is a startling one-sidedness. *On the Pill* offers no clue to *why* anyone sought to hold onto old-fashioned sexual morality. For the most part, Watkins presents this as a quirk of the Roman Catholic hierarchy. While she notes the debate in major newspapers prompted by John Rock's 1963 book *The Time Has Come: A Catholic Doctor's Proposals to End the Battle over Birth Control*, she neglects to sketch his critics' views. And her discussion of *Humanae vitae*, the 1968 papal encyclical that reaffirmed Rome's opposition to artificial birth control, allots a single line to the reasons for the Church's stand.



Photos: Johns Hopkins University Press

Here is that line, Watkins's whole account of why anyone ever had reservations about artificial birth control in general or the Pill in particular: "For the Pope and his bishops, family morality lay at the heart of the matter."

For fifteen words, these are meaty enough, and true as far as they go. But as an explanation of what was on the minds of those disturbed by the separation of sex and procreation and the resulting disruption of the balance between men and women, Watkins's words are grotesquely inadequate.

She fails even to hint, just for starters, that for the Church, "family morality" is not an arbitrary setup that some pope happens to favor, but an arrangement ordained by God; or that this quaint notion, far from being peculiar to Rome, used to be common currency among those who considered themselves Christians and Jews. Nor does she inquire into even the most elementary features of that family morality. Take the belief that having children outside marriage was "illegitimate." It is in our time that this age-old assumption has been overthrown. In the years under review, the share of births in the United States to unmarried mothers rose from 4.0 percent

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to 10.7 percent, entering on the course that would bring it to 32.4 percent by 1997. The pope, in other words, correctly perceived that "family morality" was under threat.

Watkins disposes of Catholic objections by noting that many lay Catholics used birth control. By 1976, she reports, Catholic women were no less likely than others to take the Pill. But presumably it is possible for Catholics to use contraception and yet remain influenced by the reverence for life that is central to Catholic ethics. Presumably, in other words, people can be torn. Watkins is finely attuned to the nuances of progressive thought: Look to her for a meticulous differentiation of the consumerist and feminist roots of the informed-consent movement, or for a careful parsing of the "classist" strand in the pro-population-control views of one physician, a well-off mother of six who could afford a professional career. Yet she is deaf to the rending of the cultural fabric that is the backdrop to modernity.

This is all the more curious in a book that contains fascinating confirmation of just how different was the pre-Pill culture. The reason early surveys did not ask young single women about contraceptive use, Watkins says, is that for such women in the 1950s, premeditated sex was "unthinkable." In January 1961, *Mademoiselle* published the results of a questionnaire asking college girls what effect a reliable contraceptive Pill would have on campus life. The author, a college junior, predicted, on the basis of over two hundred responses:

> First, that undoubtedly the number of girls who are not virgins at marriage will increase, but by too small a number to cause more than a ripple in our great ocean of sexual tradition; second, that the Pill will have no effect whatsoever on most women's desire for sex with one man within a permanent love relationship.

Those naive girls were wrong, of course, and our great ocean of sexual tradition has been roiled. Somehow, we have left behind a mainstream understanding of "lovemaking" as a human activity intrinsically connected to courtship, marriage, and procreation—and moved into the realm of "having sex," an activity aimed at self-fulfillment and about which no moral or relational assumptions whatever can be made. Watkins's book shrinks from the most compelling dimension of its subject: the part played by the Pill in getting us here. ♦

A Pilgrim's Progress

David Klinghoffer Finds a Home

By Nathan J. Diament

David Klinghoffer is one of thousands of late-twentieth-century Jews to make the journey from secularism to Orthodox Judaism. Indeed, the phenomenon of the *ba'al teshuva*, the returning Jew, is common enough nowadays to deserve the term "movement." But Klinghoffer's particular odyssey—recounted in his engaging new book, *The Lord Will Gather Me In*—is anything but common.

DAVID KLINGHOFFER
The Lord Will Gather Me In
My Journey to Jewish Orthodoxy
Free Press, 272 pp., $24

The adopted son of a Californian, Reform Jewish couple (whom he describes as "easygoing" in their religious observance), Klinghoffer bumped into traditional Judaism while he was in the eighth grade, reading a standard introductory text, *To Be a Jew*. In that book, the future books editor of William F. Buckley's *National Review* discovered an articulation of Judaism that revolved around laws and obligations. It was like nothing he had heard from his family's Reform rabbi, and the first thing to catch his attention made him uncomfortable: Judaism's strict rules against tale-bearing and gossip, which he realized he, like most boys, violated daily.

But the second thing he read shocked him far more, for it set forth the rules of adoption and conversion—and clearly suggested that he, adopted from a non-Jewish mother, was not Jewish. It was this challenge to his identity that served as the catalyst for Klinghoffer's search for Jewish authenticity.

In high school, Klinghoffer occasionally donned his grandfather's phylacteries and leafed through his prayer book. But he characterizes himself as still secular when he began his freshman year at Brown University. It was there at college, however, that he had his brief affiliation with Conservative Judaism. During a summer semester at the Jewish Theological Seminary in New York, he found Conservative Jews struggling, he claims, "to have it both ways": to profess faith in ancient traditions but also to be free to manipulate them to conform to modern realities. Though he declares that he still understands the appeal of Conservative Judaism, Klinghoffer nonetheless decided that its willingness to compromise Jewish law for modern convenience ensures that this form of Judaism "fails to ignite Jewish souls." Certainly it failed to ignite his.

During his college years, Klinghoffer began to observe more and more Jewish laws, including the dietary restrictions. Coming to New York for his first stint at *National Review*, he attended a Conservative synagogue and underwent a ritual conversion under the direction of its rabbi. The procedure, he notes, was "effortless," and left him feeling largely unchanged. But shortly afterward, he moved to Washington, D.C., where he was led to an

Nathan J. Diament is the political and legal affairs director of the Union of Orthodox Jewish Congregations of America.

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Orthodox congregation with an astute rabbi—which led him in turn to begin observing the Sabbath and, ultimately, to embrace Orthodox Judaism.

In the conversion ceremony that followed months of study, while standing in the ritual bath, Klinghoffer was asked for a spontaneous statement of commitment. He seems to have surprised even himself with his strong assertion that "God has chosen me to join the Jewish people" and that "His will is contained in the Torah and the rabbinic tradition."

What is clear throughout his tale is that David Klinghoffer's journey was propelled by his relentless search for "the Truth," wherever it led and whatever it demanded of him. The eighth grader could have cast aside his book and grown up a comfortable, secular Californian. The Brown University freshman could have remained in secular liberalism's ranks. The young Washingtonian could have married the Catholic woman he was dating and not turned to Orthodox Judaism. In each case, Klinghoffer chose the path that seemed to lead toward truth even as it asked him to make sacrifices.

And yet, something like this must be true for all those who can appreciate the freedoms secularism offers but nonetheless choose faith. To embrace belief, they must act in ways that place them outside the secular mainstream of American culture. Those returning to traditional Judaism must be mindful of religious rules that apply to virtually every act of their waking day.

There is certainly "freedom in the commandments," as the Talmud notes, and religion often offers psychic and spiritual comfort. But just as often, especially in the modern world, it demands commitment and sacrifice. Secular intellectuals tend to think of religion as merely a "coping strategy" to help weak people. What those like David Klinghoffer demonstrate is the hard work and intellectual fortitude necessary to pursue a religious life in the modern world.

Much of *The Lord Will Gather Me In* is provocative. Klinghoffer often seems very sure of himself, and he spares nothing in his criticism of others—including his fellow Orthodox Jews—whose observance or commitment doesn't measure up to what he believes it should be. Klinghoffer is still a young man who has been affiliated with Orthodox Judaism for only seven years and may not yet fully grasp—as he would acknowledge—all the nuances of Orthodox observance and belief.

But the fact remains that he does provide lucid explanations of such aspects of Jewish observance as the laws of family purity, restrictions on shaving practices, and the wearing of "fringes" on a four-cornered garment. The stories of Klinghoffer's romance with a Catholic woman and his search for his birth-parents and ancestry are emotional narratives marvelously woven into the tale of his spiritual odyssey.

In *The Lord Will Gather Me In*, the reader will find an articulate account of a journey from the secular to the devout. The tale should inform our perception of religion and the role it can play in life—providing a modern American instance of the Psalmist's insight that "God is close . . . to those who call to Him in truth." ♦

PAPER TABLETS

The Decalogue According to Dr. Laura

By Norah Vincent

"Doctor Laura"—Laura Schlessinger, Ph.D.—has something like twenty million listeners in America, and she is, as Larry King dubbed her, "the hottest thing in radio." The ratings for her call-in, psychological-advice program are equal to Rush Limbaugh's and nearly triple Howard Stern's.

She's built her empire mostly by being strict, stern, and even hypercritical. A sort of shock-jock in reverse, she "preaches, teaches, and nags" (as she puts it) the wayward sheep who telephone each day asking her to resolve their moral dilemmas. Sometimes it gets downright nasty: Her callers risk getting called "bimbo" and "slut." But everyone seems to love it, and her books sell in the millions. Dr. Laura's previous publications have all been bestsellers: *Ten Stupid Things Women Do to Mess Up Their Lives* in 1995, *How Could You Do That?* in 1996, and *Ten Stupid Things Men Do to Mess Up Their Lives* in 1997. And now her latest book, *The Ten Commandments*, has become her fourth blockbuster.

LAURA SCHLESSINGER AND STEWART VOGEL
The Ten Commandments
The Significance of God's Love in Everyday Life
HarperCollins, 319 pp., $24

But Dr. Laura has her share of detractors as well. Shelley Herman, a close friend of Schlessinger for many years, told a *Vanity Fair* reporter that Schlessinger "doesn't appear to have a guilty conscience, even though we all know the road is littered with people." Former colleagues in radio have virtually nothing good to say of her and usually characterize her as a backstabbing Machiavellian dead-set on making it big whatever the cost.

Of Schlessinger's early radio days in Los Angeles, Herman says, "Any woman she came in contact with, she would view as a threat. Tracy Miller, Marilyn Kagan, Barbara De Angelis, Mother Love—she systematically set out to destroy each of these women. She was the most vengeful, evil person." Marilyn Kagan herself says of Schlessinger, "She is such an evil,

Norah Vincent is a writer in New York City.

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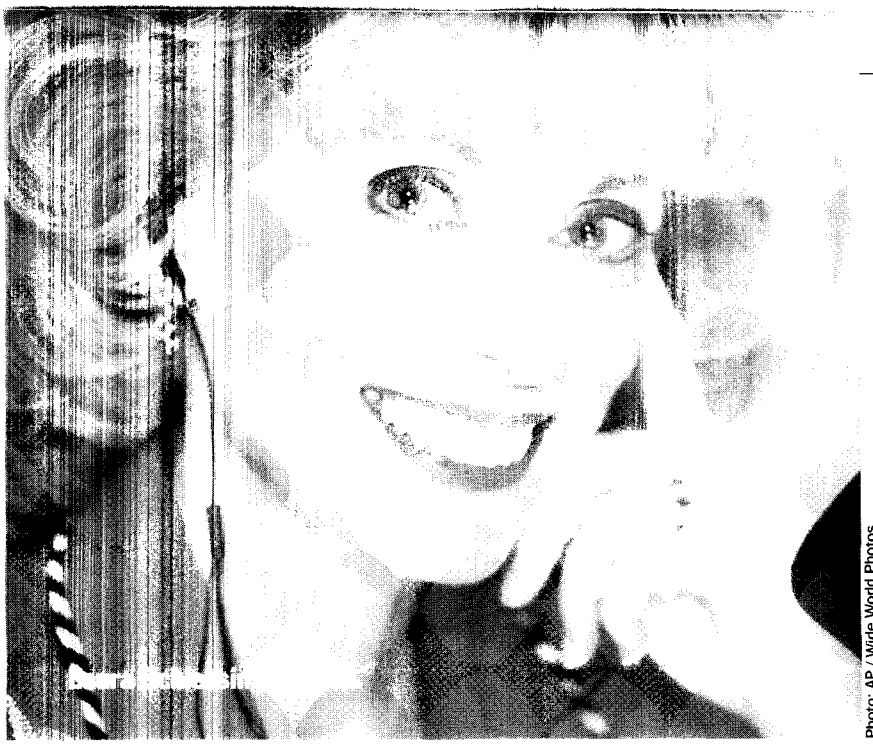

Photo: AP / Wide World Photos

vicious human being. This woman is very ill; her envy is so perverse." (When Schlessinger was asked about Kagan's remarks by *Vanity Fair* writer Leslie Bennetts, she hissed, "What a lying [w]itch.") Howard Stern, too, is no friend to Dr. Laura. Schlessinger turned down an offer from CBS television because CBS also runs Stern's show, which she finds "morally incompatible" with her own. On his program, Stern promptly shot back that Schlessinger slept her way to the top.

Radio's archetypal shock-jock, Howard Stern is hardly a primary source for truth. But Dr. Laura recently made the news for her fight to keep a pornographic Web site from posting nude amateur photographs of her taken back in 1975. The pictures were provided to the pornographers by the man who got her to pose for them: former talk-program host Bill Ballance, her lover who found Schlessinger her first job on radio more than two decades ago.

Only in a world in which hypocrisy remains the last sin is it possible to dismiss Schlessinger for a misspent youth that she's subsequently repented. It is worth observing, though, both that her initial reaction to the charges of hypocrisy was far from ennobling, and that she assumed the mantle of the repentant sinner only *after* the irrefutable proof of the photographs appeared on the Internet. Four years ago, Schlessinger converted to Orthodox Judaism, and since then she seems to have led an exemplary life. She's married with one son, wakes excruciatingly early to exercise, spends a few hours working on her current book project, goes to work saving the masses on the radio, and still manages to eke out time for her family in the evenings.

So, what in the midst of all this swirl are we to make of Dr. Laura's *The Ten Commandments*, her new foray into religious morality? There are clearly many listeners in radioland who could benefit from this thumbnail explication of the ten primary tenets of Judeo-Christian moral law. The very success of Dr. Laura's program is proof that startling numbers of Americans need to be told, in the most basic terms, what they should and shouldn't do—just as they need to be told what constitutes a lie, a theft, and a betrayal in everyday life. Schlessinger and her co-author Rabbi Stewart Vogel might well have called their book "Morality for Dummies."

But that's another way of saying that many Americans have all the moral grounding of a herd of goats, and anyone who's gotten even a step beyond goathood will find *The Ten Commandments* much too slight to be of use.

The fact is that there's something off about Dr. Laura, and as time goes by it becomes clearer and clearer. It's not just the nude photographs of a clowning Schlessinger exposing herself, despicably posted on the Internet. It's not even the reproaches of her former colleagues—too numerous now to be entirely dismissed as envious backbiting. It's rather the thinness of her moral and religious imagination, as though Dr. Laura started the wrong way around: spotting a hunger in America for moral discourse and deciding to feed it, instead of coming to certain moral conclusions and then turning back to help people.

Back on May 6, 1996, before she was nearly as famous as she's since become, James K. Glassman praised Dr. Laura in the pages of THE WEEKLY STANDARD as a sign of a hopeful national trend, which she may have been at the time. But she seems now mostly an epiphenomenon. However laudable her declared goals and however sincere her new-found faith, Schlessinger reads like the mystic equivalent of a tofu burger.

What her writing lacks is soul, and her explanations in *The Ten Commandments* disintegrate and fall away, idealess. The prose is so bland and uninspired, there's not a line in the book worth quoting. If you merely read the Commandments themselves (printed as epigraphs for each chapter) you'll come away with as much as you're going to get—and Exodus 20:1-17 and Deuteronomy 5:6-21 make more interesting places to look for those Commandments.

With all due respect to Rabbi Vogel, who gave this book the only glimmer of rigor it has, *The Ten Commandments* is a neophyte's conceit. Schlessinger proclaims herself an instant rabbi: Since "Rabbi means teacher," she boasts, "I am one."

Dr. Laura's popularity—the feeling of Americans that they need her—does remain something of an encouraging fact in our culture.

But it also, and more profoundly, remains something of an embarrassment. ♦

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Form 772-A

Washington, DC

APPLICATION FOR PRESIDENTIAL PARDON

1999 CHRISTMAS PROGRAM

■ Name: Linda Tripp

■ Day / Month: 1 December

■ Year: 1999

■ Place of Incarceration: Federal Corrections Institution, Cumberland, Md.

■ Sentence: One to three years

■ Time Served at Xmas: 8 months

■ Sponsor: Sidney Blumenthal, U.S. Attny. General

■ Convictions: Aggravated non-consensual taping in the first degree; various federal conspiracy charges

■ Type Plea Here:

Dear President Clinton, please, please, *puh-leeze* get me outta here by Christmas! I'm going just a little "nutsy," I don't mind saying. Believe me, I know that I caused beaucoup trouble for you and Mr. Jordan and everybody, and for the umpteenth time I am just *SO-O-O* sorry. BTW, you were so right when you said it gets easier the more you do it. Come to think of it, you've been right about nearly everything. No, *everything*.

Here in "stir" I've had lots of time to reflect on my despicable betrayal of my friend Monica, and on the many serious crimes that led to such pain for our country. How I got swept into the vortex of the Vast Right-Wing Conspiracy I already explained in my statement at Ken Starr's sentencing hearing (see attachment). I also think that maybe I was still grieving a little for Vince back then. I know that you can "feel my pain" there, right?

Whenever the screws and "Large Marge" (who shotguns the remote) let me watch Monica on The View, I always feel it's well worth the two cartons of Luckies. She's so much better than that Debbie Mate-whositz. I'm so happy that Barbara Walters saw her potential. Back when Monica and I used to gossip for hours on the phone about the (non-sexual) relationship you guys had, and about her (truthful) affidavit and your (coincidental) job efforts, you'll remember I always encouraged her to think big. And she always tried to get me—old Ms. Stubborn—to bow to the inevitable. Out of the mouths of, well, "Babes," I guess.

Anyhoo, as the chief law enforcement officer of our country (although not *specifically* designated as such! Ha-ha), I'm aware that you must take a stern view of criminals like myself when the truth about them is established in court. But mercy is what I am into now, not the so-called truth. As a wise man once said, "What is truth?" I think now we can *both* say: "Freakin' Amen to that!"

I hereby "swear" that no consideration has been given for this pardon. (But as I told Mr. B (AG), I'll be up in NH for Mr. G early in Y2K.)

Linda Tripp (FI#:769533950-02)

P.S. This morning saw Ken S in the chowline. He just kept muttering something. Sounded like "Malibu"???

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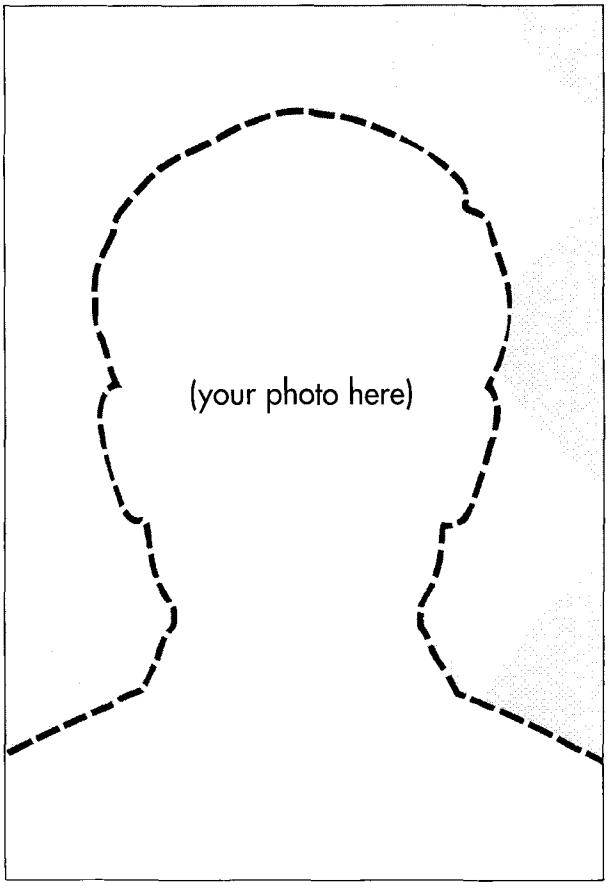
WHOSE RETIREMENT IS IT ANYWAY?



It's yours, of course. Knowing Uncle Sam can only do so much, Americans are taking more responsibility for their own retirement. All we ask from government is a little help to do the right thing.

Americans want tax policy that helps, not tax bites that would jeopardize retirement and financial security.

Surveys show that Americans believe government's role in encouraging private retirement solutions is just as important as government's responsibility to protect Social Security. It's clear that a secure retirement for all requires a strong public/private partnership.

Securing your retirement shouldn't be a taxing experience.

That's an important message for Congress and the President to keep in mind as they consider this year's budget and Social Security reform. We need to tell Washington that any direct or indirect tax on life insurance and annuity products will weaken the nation's retirement system and hurt American families.

Let's work together to help Americans protect their families today and secure their retirement tomorrow.

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